

## **APPLICATION REPORT – 19/00145/FULMAJ**

**Validation Date: 1 March 2019**

**Ward: Chorley South East**

**Type of Application: Major Full Planning**

**Proposal: Erection of building comprising 25 flats following the demolition of existing garage blocks**

**Location: Alfreds Court Market Street Chorley**

**Case Officer: Mr Iain Crossland**

**Applicant: 108 Ventures Ltd**

**Agent: Design Studio Architects**

**Consultation expiry: 26 March 2019**

**Decision due by: 31 May 2019**

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### **RECOMMENDATION**

1. It is recommended that planning permission is granted subject to conditions.

### **SITE DESCRIPTION**

2. The application site is located on Anderton Street, outside of the Chorley Town Centre boundary, but on the very edge of the town centre. The site currently comprises an area of private car parking and garages. The garages appear slightly dilapidated though the site is clearly used for car parking. The site is located on a street of mainly residential properties and supported housing and the character of the area largely consists of two storey buildings of traditional design style.

### **DESCRIPTION OF PROPOSED DEVELOPMENT**

3. The application seeks planning permission for the erection of a building of comprising 25 flats following the demolition of the existing garage blocks.

### **REPRESENTATIONS**

4. One representation has been received citing the following grounds of objection:
  - Loss of vehicular access to the rear of properties on Market Street.
  - Loss of parking for residents of Market Street.
  - Could an alternative access be created to serve the dwellings on Market Street?
  - Lack of on site parking.

### **CONSULTATIONS**

5. Lancashire County Council (Education): Based upon the latest assessment, taking into account all approved applications, LCC are not seeking a contribution for primary school places or secondary school places.
6. Waste & Contaminated Land: Have no objection subject to a condition.

7. Lancashire County Council Highway Services: Have no objection subject to conditions.
8. United Utilities: Have no objection subject to conditions.
9. Lancashire Fire And Rescue Service: Standing advice provided.

## **PLANNING CONSIDERATIONS**

### Principle of the development

10. The National Planning Policy Framework (The Framework) states that housing applications should be considered in the context of the presumption in favour of sustainable development. This means that development proposals that accord with the development plan should be approved without delay.
11. The application site is located in the core settlement area of Chorley, close to the town centre. Core Strategy Policy 1(b) is concerned with locating growth and identifies Chorley Town as a Key Service Centre where growth and investment should be concentrated.
12. The application site comprises land and garages that have been used privately for the parking of cars. The site is not allocated for any specific use within the Chorley Local Plan 2012 - 2026 and the Local Plan states that within the settlement areas excluded from the Green Belt, and identified on the Policies Map, there is a presumption in favour of appropriate sustainable development.

### Design and impact on the character of the area

13. The proposal involves the erection of a two story building with mansard roof that would provide accommodation in the roof space. This would result in flats being accommodated across three floors. The proposed building would be of a contemporary design style comprising dormer features and would be faced in red brick, white render and grey concrete roof tiles.
14. The local vernacular of the area is largely made up of red brick buildings of tradition design, although there are examples of more modern buildings. The existing buildings on the site are low level garage blocks that are in a somewhat dilapidated condition and, therefore, detract from the character of the area.
15. The proposed development would introduce a building of scale onto a site occupied by low level garages and surface car parking. As such the building would be highly visible from Anderton Street. The building has been designed to be sympathetic in the context of other surrounding buildings utilising a mansard roof to keep the building height similar to the prevailing building heights in the area. The mass of the building would be broken up by changes in materials, changes in the depth of the front elevation and positioning of window openings and dormers. This in conjunction with the roof space being made up of a mansard and series of dormers further reduces the massing.
16. The proposed development would fill what is an underused space in a very central area of the town, close to the centre and would rejuvenate a parcel of land. The development would also provide the benefit of introducing an active street frontage, where there is currently none. A grassed communal amenity area would be concealed to the rear as would the bike store and bin store, which is an appropriate approach to take, and would be of benefit to future residents.
17. Overall the proposed development would be of an appropriate scale and design, close to the town centre, that would not harm the character of the area but would introduce an improvement in design quality and street frontage.

### Impact on neighbour amenity

18. The proposed building would be located approximately 8.8m from residential properties on the opposite side of Anderton Street at 25 and 37 Anderton Street. It should be noted that

the Council's interface guidelines state that facing windows to habitable rooms should be positioned at a distance of at least 21m for privacy purposes and that windows to habitable rooms should be located at least 12m from two storey elevations for outlook purposes. It is clear that the proposed development would not meet these guidelines, however, it is noted that the proposed relationship reflects that of the established relationships along Anderton Street, whereby terraced properties face one another at a similar distance of approximately 8.8m. The proposed development would have a height similar to that of the terraces and nearby buildings, as the height has been limited through the use of a mansard roof. It is considered that the proposed development would reflect the prevailing relationships that already exist along Anderton Street and that would be anticipated from any development of this site. Indeed, it is noted that buildings were previously positioned on the site forming this relationship, but were demolished some considerable time ago.

19. Similarly, the proposed development would face residential properties at 21 to 24 Halliwell Court at a distance of approximately 13m. This is a slightly improved situation, albeit less than the guideline standard. It is, however, considered that in this particular instance, in such a central area of the town, the proposed relationship is an acceptable one given the prevailing interface distances that currently exist.
20. The rear part of the building would be located close to the rear boundary of properties fronting Cunliffe Street, comprising houses and flats. The building would be located approximately 10m from the rear facing windows of these properties at its nearest point. This again falls short of the Council's interface guidelines, however, there are benefits to the development of the site and closer interface distances are to be expected in town centre locations. Furthermore, it is noted that buildings were historically present on the site.
21. The western elevation of the building would be approximately 16m from the rear windows of the buildings comprising flats at 115 and 117 Market Street. This is below the guideline interface standards, although it is considered to be a reasonable degree of separation in this instance given the town centre character of the location, and benefits of development on the site.
22. The eastern elevation of the proposed building would not contain any windows to habitable rooms and would face a blank gable at 16 Anderton Street. As such there is no impact on privacy. It is noted that the building would be in close proximity to the rear yard / garden at this dwelling. There would be no overlooking, however, no adverse impact on light or outlook given the relative positioning.
23. Other properties near to the site are in commercial uses, and would not be unduly impacted upon, and other residential properties are located in such a position that the impact of the development would not be harmful in relation to the present amenity that they currently enjoy.
24. It is recognised that the proposed development would not meet with the Council's guideline interfaces standards in all instances relative to dwellings near to the site. However, it must be considered that the character of the area is that of a town centre / inner urban area, where interface standards are significantly shorter than suburban housing developments. It is also noted that the application site is in some state of dilapidation and is underused. The proposed development would help to rejuvenate the site and this part of the town. It would also introduce an active street frontage to this part of Anderton Street, thereby improving perceptions of safety, and would help to secure the properties that bound with the site, as it is currently open to access leaving neighbouring properties vulnerable to intrusion.
25. Overall, the proposed residential development is considered to have an acceptable impact on neighbour amenity in the context of this central location. It is also recognised that there are clear benefits the site being developed and would result in a compatible use when viewed in the context of other residential uses nearby, providing housing in a sustainable location.

#### Highway safety

26. The proposal is to demolish the existing garage blocks at the rear of 113-117 Market Street and erect a 3-storey building comprising 25no. flats made up of 18no. 1-bedrooms and 7no. 2-bedrooms as counted from the submitted floor plans.
27. The site is in a town centre location close to public car parks where there are on street provisions for limited waiting and where residents parking permit holder's scheme is in force, but which is currently oversubscribed. There are extensive on-street waiting restrictions in the area.
28. The proposed scale of development would require 32no. off-street parking spaces to be provided in order to meet the parking standards set out in the Chorley Local Plan 2012 - 2026, however, only 6 off street parking spaces and associated turning area would be provided. In highway terms, the non-provision of off-street parking at this location raises no safety or access concerns.
29. Policy ST4 of the Chorley Local Plan 2012 - 2026 allows for a deviation from the parking standards where there are sustainable credentials. This depends upon local circumstances such as the location and size of the proposed development, its proximity to public car parks, existing parking issues in the area and existing traffic management and safety issues, which should be taken into account, in addition to locations that are considered to be more sustainable and well served by public transport and may be considered appropriate for lower levels of provision.
30. It is accepted that the site is in a highly sustainable location and well served by public transport with bus stops and a train station with frequent services within short walking distances of the site. Market Street and some of the surrounding streets are traffic calmed and pedestrianised with wide footways with good quality surfaces, street furniture and lighting. The area has quality provision for cyclists such as parking rails and dedicated facilities with minimal restrictions on cycle movements.
31. These local circumstances are considered sufficient to justify a reduction in the maximum level of off-street parking provision, and the provision of some, albeit limited, on-site parking would to some extent help to alleviate congestion on the highway, to protect and improve the safety of pedestrians and to safeguard the amenity of residents of properties in the vicinity of the site.
32. It is noted that covered bicycle storage would be provided, although the details of the storage are not provided and would need to be secured by condition. The storage should be secured with sufficient capacity to accommodate bicycles on a ratio of one to each flat.
33. The proposed development is likely to have an effect on the local highway network during construction phase. Therefore, it is recommended that a condition is attached to any grant of planning requiring a Construction Traffic Management Plan (CTMP) to be submitted prior to the commencement of any development. The Plan should contain information on the number of vehicle trips, hours of operation and suitable means of mitigation of negative impacts. The Plan should also provide details to better manage all types of HGV movements to and from the sites and should identify where safe and legal loading can take place and should provide details of how deliveries are to be proactively managed to reduce the number of vehicle movements to and from the sites.
34. It is considered that the proposed development is acceptable from highway safety perspective, in consideration of the site being located in a highway sustainable location.

#### Affordable housing and public open space requirements

35. Policy 7 of the Core Strategy requires 30% affordable housing to be provided on sites of 15 or more dwellings, or 0.5 hectares in size (which this is), in urban areas such as this. No on-site provision has been identified by the applicant.

36. The proposed development would also generate a requirement for the provision of public open space in line with policies HS4a and HS4b of the Chorley Local Plan 2012 – 2026 and the Open Space and Playing Pitch SPD.
37. However, some critical viability issues affecting the deliverability of the development have been identified. A viability assessment has been submitted by the applicant demonstrating that no contributions are possible as the profit margin to the developer would be limited to the point where the possibility of obtaining development finance would be severely restricted. As a result there would be no incentive to deliver the scheme. The viability case has been considered by the Council's viability consultant, which led to some of the assumptions being challenged by the Council. The applicant provided further information leading to further discussions with the Council's viability consultant. After further investigation it was accepted that the proposed development would not be capable of supporting any of the necessary planning obligations required by local policies. It is, therefore, recommended that the viability case is accepted and that no contributions can be supported. The development is, therefore, considered acceptable without such contributions under the circumstances, when balanced against the benefits of proposed development on the site in question.

## **CONCLUSION**

38. There would be no unacceptable detrimental impact on the appearance and character of the area or the amenity of neighbouring occupiers as a result of the proposed development. In addition, the development is located in a sustainable location and would not have an unacceptable impact on highway safety. On the basis of the above, it is recommended that planning permission be granted subject to conditions.

## **RELEVANT HISTORY OF THE SITE**

**Ref:** 75/00057/FUL      **Decision:** PERFPP      **Decision Date:** 30 April 1975  
**Description:** Storage shed

**RELEVANT POLICIES:** In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Local Plan 2012-2026 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the proposal has had regard to guidance contained within the National Planning Policy Framework (the Framework) and the development plan. The specific policies/guidance considerations are contained within the body of the report.

### Suggested conditions

To follow