

APPLICATION REPORT – 19/00620/FUL

Validation Date: 5 July 2019

Ward: Brindle And Hoghton

Type of Application: Full Planning

Proposal: Erection of detached dwellinghouse on land west of the Post Office

Location: The Post Office The Straits Hoghton Preston PR5 0DA

Case Officer: Mr Iain Crossland

Applicant: Mr John Forrester

Agent: Mr Richard Percy, Steven Abbott Associates LLP

Consultation expiry: 30 July 2019

Decision due by: 13 September 2019 (Subject to an extension of time)

RECOMMENDATION

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

SITE DESCRIPTION

2. The application site is located in the Village of Hoghton, within the settlement area that is excluded from the Green Belt. It comprises a landscaped area resembling a garden to the west of The Post Office, which is on The Straits. The application site is bound by The Straits to the south, Quaker Brook Lane to the north, The Post Office to the east and a small parcel of what appears to be public amenity space to the west. The character of the area is that of a rural village with a mixture of traditional and more contemporary buildings surrounded by open agricultural land.

DESCRIPTION OF PROPOSED DEVELOPMENT

3. This application seeks full planning permission for the erection of a detached dwellinghouse. The proposed dwelling is a dormer bungalow of traditional design style, and it is proposed that a vehicular access would be gained from Quaker Brook Lane.

REPRESENTATIONS

4. Representations have been received from the occupiers of 9no. addresses citing the following grounds of objection:
 - Highway safety
 - Character of the area
 - Neighbour amenity
 - Loss of amenity space
 - Loss of footpath
 - The site is not an infill plot.

CONSULTATIONS

5. Houghton Parish Council: Object to this application on the grounds that the proposed dwelling would result in an overdevelopment of the site; would detract from the character and appearance of existing development; there would be a lack of privacy for prospective occupants by reason of the adjoining path; the proposed development would reduce light to adjoining properties; the proposed access would, taking into account other proposals increase traffic on a narrow country lane; and vehicle parking could arise on a dangerous bend. The Parish Council feel that the Highway Authority should undertake a traffic survey at the entrance to Quaker Brook Lane and The Straits.
6. Greater Manchester Ecology Unit: Have no objection subject to conditions.
7. Waste & Contaminated Land: Have no comments to make.
8. Lancashire County Council Highway Services: Have no objection subject to a condition.
9. United Utilities: Have no objection.

PLANNING CONSIDERATIONS

Principle of 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 settlement area of the village of Houghton and falls to be considered as an 'other place' when considering the location of development in relation to Policy 1 of the Core Strategy. Policy 1(f) of Core Strategy Policy 1 reads as follows:
"In other places – smaller villages, substantially built up frontages and Major Developed Sites – development will typically be small scale and limited to appropriate infilling, conversion of buildings and proposals to meet local need, unless there are exceptional reasons for larger scale redevelopment schemes."
12. The application site has the appearance of a domestic garden and, therefore, the application is assessed on this basis. Policy HS3 of the Chorley Local Plan 2012 - 2026 deals with development within residential gardens. Policy HS3 states that development within private residential gardens on sites not allocated for housing will only be permitted for:
(a) appropriately designed and located replacement dwellings where there is no more than one for one replacement;
(b) the conversion and extension of domestic buildings, and;
(c) infill development on gardens which is classified as the filling of a small gap in an otherwise built up street frontage which is typically a gap which could be filled by one or possibly two houses of a type in keeping with the character of the street frontage.

When assessing applications for garden sites, the Council will also have regard to;

- 1) *Sustainability, such as access to public transport, schools, businesses and local services and facilities.*

Proposals which significantly undermine amenity and harm the distinctive character of an area will be refused.

13. The proposed dwelling would be positioned between The Post Office to the east and Quaker Brook Lane to the west, beyond which the line of development continues along The Straits. The application site measures approximately 20m in width, which represents a small gap. There is a very clearly identifiable built up street frontage to the east of the site along The Straits. To the west this line of development is broken only by the application site, a small area of amenity space and Quaker Brook Lane, beyond which the built up frontage is

clearly identifiable. As the highway at Quaker Brook Lane forms part of developed frontage the application site forms an obvious gap along this part of The Straits and is, therefore, considered to be an infill development in line with Policy HS3 criterion c).

14. There is no prevailing design character when considering The Straits as a whole. To the immediate east of the site the buildings are simple stone terraces of traditional design style. To the west the dwellings comprise stone cottages and red brick semi-detached houses. The dwellings located along Quaker Brook Lane are of a more varied design style with a range of more contemporary semi-detached and detached dwellings. The proposed dwelling would be a detached property in the style of a traditional stone cottage. There would be a front porch, two gable dormers to the rear, chimney stacks at either end, and a range of other details contributing to a traditional design style. The use of stone and slate would ensure that the building provides some continuity with those nearby. It is noted that the proposed dwelling is of a lesser height to those adjacent.
15. Although the proposed dwelling does not exactly replicate the scale and appearance of those nearest dwellings, the range of properties in the locality is such that a traditional style dwelling of lesser height faced in similar materials to those adjacent would not be out of character with the street frontage when considered in its entirety.
16. Policy HS3 includes additional sustainability criteria detailed above. It is considered that the site is located in a relatively sustainable location with some access to public transport, some limited local amenities such as a local shop, community centre and public houses, and the means to access other nearby amenities relatively easily.
17. Overall, it is considered that the proposed development complies with policy HS3 of the Chorley Local Plan 2012 - 2026.

Impact on character and appearance of the locality

18. The proposed development comprises a detached dwelling set within an open plot of land that is bound by The Straits to the south, Quaker Brook Lane to the north and amenity land to the west. As such the application site is prominent in the street scene and would be clearly visible on three sides. As set out above there is no predominant design style in the village with a range of dwelling types, styles and materials used, although the nearest are stone terraces of traditional appearance and character.
19. The proposed dwelling would be a detached property in the style of a traditional stone cottage. There would be a front porch, two gable dormers to the rear, chimney stacks at either end, and some simple window detailing. The dwelling has been designed to display features and characteristics that would provide interest when viewed from the front, rear or side and is an appropriate design response to the open aspect of this particular site. The height of the proposed dwelling has been kept lower than those characterful stone terraces to the east, so as not to compete with them. This also results in a tapering of heights in the street scene, which reduces the visual impact. The use of stone and slate would help the proposed dwelling to blend in to its immediate surroundings and the positioning is broadly consistent with that of the nearest properties along The Straits.
20. It is proposed that the driveway and parking would be located to the rear with gardens to the front and side. This would help to frame the property and provide an adequate degree of amenity space.
21. Overall, it is considered that the proposed dwelling would result in a harmonious addition to the street scene along The Straits and would be an unobtrusive feature when viewed from Quaker Brook Lane. The gable end of the dwelling would be clearly visible on approach from the west but the detailing and scale is such that it would not be harmful to the appearance of the street scene.

Impact on neighbour amenity

22. The proposed dwelling would be located immediately adjacent to The Post Office and would not be visible from this property.

23. The proposed dwelling would face the side elevation of no.4 The Straits, which is located on the opposite side of The Straits to the south. It is noted that there are windows to habitable rooms in the side elevation of 4 The Straits facing the application site, and that there is a separation of approximately 15m. The proposed dwelling is located to the north of this property and would have no impact on light. There would be no windows to habitable rooms at first floor level in the proposed dwelling, with window lights only. There would be windows at ground floor that would face 4 The Straits, however, the inclusion of a front hedge at the proposed dwelling would help to filter direct views. In addition to this it is noted that the windows in the side elevation of 4 The Straits face directly onto the highway at The Straits. As such the degree of private amenity available from these windows already is less than may otherwise be anticipated, and the impact of the proposed dwelling would not exacerbate this to any harmful extent. It is, however, recommended that a condition is attached to any grant of planning permission requiring the retention of the hedge and its maintenance to the minimum height.
24. There would be some impact on outlook from the windows in the side elevation at 4 The Straits as the proposed development would take place on an open site. The scale of the proposed dwelling and degree of separation are such, however, that it is not considered the impact would be unacceptably harmful.
25. The proposed dwelling would be located at least 22m from the nearest dwellings on Quaker Brook Lane, namely Oak Lea and Wayside. Given the scale of the proposed dwelling, its positioning and degree of separation it is not considered that there would be any detrimental impact on the amenity of the occupiers of these dwellings.
26. The proposed dwelling would not contravene any of the Council's interface guidelines and is not considered to result in any unacceptable detrimental impact on the amenity of neighbouring occupiers.

Highway safety

27. The application site is located between two highways, The Straits and Quaker Brook Lane, and it is noted that a number of concerns have been raised with regards to the impact of the development on highway safety and current highway safety issues.
28. Lancashire County Council Highway Services acknowledge that there is a lack of full and adequate pedestrian facilities on Quaker Brook Lane and it is suggested that the applicant provides a 2m wide footway across the full frontage of the site on Quaker Brook Lane, which could lead to an upgrade of the existing path that runs through the adjacent amenity land, where the Parish Council have a notice board and bench.
29. The upgrade of this footpath and the new footway on Quaker Brook Lane would also be of benefit to other residents and road users on Quaker Brook Lane and provide a direct link to the bus stops and the footways on The Straits.
30. The applicant would be requested to enter into a s278 agreement for the formation of the footway and vehicle crossing on Quaker Brook Lane.
31. It is requested that the proposed pedestrian access for the A675 The Straits is removed. This section of highway is subject to a double centre line marking where parked vehicles would interfere with the safe movement of vehicular traffic as no overtaking manoeuvres are permitted and part parking on the footway would be an obstruction to the safe and free movement of pedestrians.
32. Any pedestrian access proposed from The Straits is likely to result in delivery drivers, taxis etc. stopping on the A road, which is a safety concern, as set out above, especially due to the close proximity to the junction with Quaker Brook Lane. It is, therefore, recommended that this is considered when discharging any boundary treatment and landscaping details in order that direct pedestrian access is not created.

33. It is requested that the applicant makes provision for the construction/contractor parking and the loading and storage of deliveries off the highway associated with the construction of the development. This is to ensure that Quaker Brook Lane and The Straits are not obstructed by parking and the safe passage of all road users is maintained. A condition requiring a construction method statement is, therefore, recommended.
34. Adequate off street car parking provision would be provided that complies with the parking standards specified in policy ST4 of the Chorley Local Plan 2012 – 2026.
35. Overall, LCC Highways do not have any objections regarding the proposed erection of a detached dwellinghouse on land west of the Post Office and are of the opinion that the proposed development would not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.

Ecology impacts

36. The application is accompanied by an ecology assessment of the site. This has been reviewed by the Council's ecology advisors (Greater Manchester Ecology Unit) who advise that the ecological consultants appear to have undertaken a detailed survey of the site and carried out an appropriate level of survey. No significant ecological issues were identified by the developer's ecological consultant. Issues relating to bats, nesting birds, invasive species and landscaping can be resolved via conditions and informatives.
37. The buildings on the site were assessed as having limited bat roosting potential. GMEU have no reason to doubt the findings of the report, carried out by an experienced bat consultancy. As bats can arrive in unexpected locations it is recommended an informative is attached reminding any developer of the Habitat Regulations.
38. No other protected species were assessed as likely on the site and GMEU have no reason to doubt these conclusions, given the nature of the development site and distance from suitable habitat.
39. Japanese knotweed is recorded within the development site. Japanese knotweed is included within schedule 9 part 2 of the Wildlife & Countryside Act 1981, as amended. It is an offence to introduce or cause to grow wild any plant listed under this schedule. It is, therefore, recommended that a condition requiring a method statement detailing eradication and/or control and/or avoidance measures for Japanese knotweed be attached to any grant of planning permission.
40. Section 170 of the Framework states that the planning system should contribute to and enhance the natural and local environment. The site is generally of low ecological value consisting of amenity grassland ornamental planting and short sections of hedgerow. Satisfactory mitigation can be achieved on site, through soft landscaping such as replacement tree planting, new hedges and provision of bird boxes. It is recommended that a condition requiring an appropriate landscaping plan is attached to any grant of planning permission.

Sustainability

41. Policy 27 of the Core Strategy requires all new dwellings to be constructed to Level 4 of the Code for Sustainable Homes or Level 6 if they are commenced from 1st January 2016. It also requires sites of five or more dwellings to have either additional building fabric insulation measures or reduce the carbon dioxide emissions of predicted energy use by at least 15% through decentralised, renewable or low carbon energy sources. The 2015 Deregulation Bill received Royal Assent on Thursday 26th March 2015, which effectively removes Code for Sustainable Homes. The Bill does include transitional provisions which include:

“For the specific issue of energy performance, local planning authorities will continue to be able to set and apply policies in their Local Plans which require compliance with energy performance standards that exceed the energy requirements of Building Regulations until commencement of amendments to the Planning and Energy Act 2008 in the Deregulation

Bill 2015. This is expected to happen alongside the introduction of zero carbon homes policy in late 2016. The government has stated that, from then, the energy performance requirements in Building Regulations will be set at a level equivalent to the (outgoing) Code for Sustainable Homes Level 4. Until the amendment is commenced, we would expect local planning authorities to take this statement of the government's intention into account in applying existing policies and not set conditions with requirements above a Code Level 4 equivalent."

"Where there is an existing plan policy which references the Code for Sustainable Homes, authorities may continue to apply a requirement for a water efficiency standard equivalent to the new national technical standard, or in the case of energy a standard consistent with the policy set out in the earlier paragraph in this statement, concerning energy performance."

42. Given this change, instead of meeting the code level, the dwellings should achieve a minimum dwelling emission rate of 19% above 2013 Building Regulations in accordance with the above provisions. This can be controlled by a condition.

Public open space

43. Policy HS4 of the Chorley Local Plan 2012 – 2026 requires public open space contributions for new dwellings to be provided in order to overcome the harm of developments being implemented without facilities being provided.
44. However, the National Planning Practice Guidance (NPPG) post-dates the adoption of the Local Plan and states that planning obligations should not be sought from developments of 10 or less dwellings and which have a maximum combined floorspace of no more than 1000 square metres.
45. In the determination of planning applications, the effect of the national policy is that although it would normally be inappropriate to require any affordable housing or social infrastructure contributions on sites below the thresholds stated, local circumstances may justify lower (or no) thresholds as an exception to the national policy. It would then be a matter for the decision-maker to decide how much weight to give to lower thresholds justified by local circumstances as compared with the new national policy.
46. The Council must determine what lower thresholds are appropriate based on local circumstances as an exception to national policies and how much weight to give to the benefit of requiring a payment for 1 or 2 dwellings.
47. It is considered that the benefit of securing a public open space contribution on the basis of one dwelling would not be sufficient or carry significant weight to outweigh the national policy position. The benefit to the Council is the delivery of improvements to play space, however the cost of managing the end to end process of delivering those improvements is high and not commensurate to the benefit. The likely success of delivering improvements is also in doubt due to the difficulty of identifying schemes to pool small amounts of money secured through Section 106 agreements.
48. Therefore, a public open space commuted sum is not requested for this scheme.

Community Infrastructure Levy (CIL)

49. The Chorley CIL Infrastructure Charging Schedule provides a specific amount for development. The CIL Charging Schedule was adopted on 16 July 2013 and charging commenced on 1 September 2013. The proposed development would be a chargeable development and the charge is subject to indexation in accordance with the Council's Charging Schedule.

CONCLUSION

50. It is considered that the principle of a new dwelling on this site is acceptable and that the proposed dwelling would not cause undue harm to the appearance and character of the area or neighbour amenity. In addition, it is considered that adequate parking would be

provided and that there would be no unacceptable harm to highway safety. On the basis of the above, it is recommended that planning permission be granted.

RELEVANT HISTORY OF THE SITE

There is no relevant planning history on the site.

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: