

APPLICATION REPORT – 20/01130/OUT

Validation Date: 16 February 2021

Ward: Chorley East

Type of Application: Outline Planning

Proposal: Outline planning application including matters of access and scale, for the erection of up to 4no. apartments, following the demolition of the substation. Matters of layout, appearance and landscaping are reserved.

Location: 154 Eaves Lane Chorley PR6 0TS

Case Officer: Amy Aspinall

Applicant: Mr David Martindale

Agent: Lindsay Oram Architect

Consultation expiry: 5 April 2021

Decision due by: 14 April 2021

RECOMMENDATION

1. It is recommended that planning permission is granted, subject to conditions and a S106 agreement to secure a financial contribution towards improvements to children's play areas.

SITE DESCRIPTION

2. The application site is located within the settlement of Chorley, as defined by the Chorley Local Plan Policies Map and is comprised of a plot of land occupied by a substation with a dedicated vehicular access. The immediate land use is predominantly residential, with the Eaves Lane (South) district local centre just a few metres to the north of the site.

DESCRIPTION OF PROPOSED DEVELOPMENT

3. The application seeks outline planning permission for the erection of up to 4no. apartments, specifying scale (two storeys) and access. All other matters are reserved for later consideration.

RELEVANT HISTORY OF THE SITE

4. There is no recent relevant planning history.

REPRESENTATIONS

5. 3no. representations have been received citing the following grounds of objection: These are summarised below:

- Not enough room / space for 4 additional households and associated cars
- Potentially 8 (or more) vehicles to be parked
- Residents may park on Bracken Close and there is not enough spaces for this to be viable
- Highway safety concerns as close to an island for pedestrian crossing
- Parking in the area is already saturated / no parking

- Overlooking / loss of privacy to nearby properties
- Loss of privacy to 1 Bracken Close / distance would be less than 22 metres / would see directly into the house and whole of garden

CONSULTATIONS

6. Lancashire County Council (LCC) Highway Services: Have no objection. Conditions and informative advised.

7. Regulatory Services - Environmental Health: Have no objection.

8. Waste & Contaminated Land: Recommend a land contamination condition.

9. United Utilities: Drainage conditions advised.

10. CIL Officers: Comment that the development will be CIL Liable on approval of the final reserved matters application (if approved) and will be subject to the CIL Charge for Apartments as listed in Chorley Council's CIL Charging Schedule.

PLANNING CONSIDERATIONS

Principle of development

11. Policy 1 of the Central Lancashire Core Strategy (2012) defines Chorley Town as a key service where growth and investment is to be focused.

12. Chorley Local Plan 2012-2026 policy V2 (Settlement Areas) 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, subject to material planning considerations and the other Policies and Proposals within this Plan.

13. The proposed residential development is acceptable in principle, in planning policy terms, subject to other material considerations as set out in this report.

Impact on the character and appearance of the area

14. Policy BNE1 (Design Criteria for New Development) of the Chorley Local Plan 2012 -2026 stipulates that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that, among other things, the proposal does not have a significantly detrimental impact on the surrounding area by virtue of its density, siting, layout, building to plot ratio, height, scale and massing, design, orientation and use of materials.

15. The application is in outline form with all matters reserved save for scale and access. Detailed design would be secured at reserved matters stage and would need to accord with policy BNE1 in respect of design matters. Scale is a detailed matter and the application has indicated two storeys which is acceptable in this location having regard to the scale of buildings in the immediate locality. This could be controlled by way of condition.

16. The boundary wall to the site frontage is an attractive feature of the site and the streetscene, forming part of the wider boundary of the former Eaves Lane hospital site, which has been retained as part of the now residential development. It is considered that the wall should be retained as part of the proposed development and this could be conditioned accordingly.

Impact on amenity

17. Policy BNE1 (Design Criteria for New Development) of the Chorley Local Plan 2012 -2026 stipulates that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that, where relevant to the development the proposal would not cause harm to any neighbouring property by virtue of overlooking,

overshadowing, or by creating an overbearing impact; and that the proposal would not cause an unacceptable degree of noise disturbance to surrounding land uses.

18. The application proposes up to 4no. apartments on land adjacent to no.154 Eaves Lane. The submitted plan shows an indicative layout, providing a continuation of the terraced row of nos.154 to 160 Eaves Lane, although this is not for approval at this stage. A residential use on this site would be a compatible land use with surrounding residential properties.

19. Objections raise concern in relation to overlooking and loss of privacy impacts to 1 Bracken Close, however, as the application is in outline, such matters are not for consideration now, but would be dealt with at reserved matter stage. Any detailed proposal would need to ensure that the amenity afforded to neighbouring residential properties is safeguarded from adverse impacts such as overlooking, overbearing impacts and loss of light. In addition, any proposal would need to ensure acceptable living conditions for future occupiers.

Highway safety

20. Policy BNE1 (Design Criteria for New Development) of the Chorley Local Plan 2012 -2026 stipulates that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that the residual cumulative highways impact of the development is not severe and it would not prejudice highway safety, pedestrian safety, the free flow of traffic, and would not reduce the number of on-site parking spaces to below the standards stated in Site Allocations Policy – Parking Standards, unless there are other material considerations which justify the reduction.

21. The scheme as originally submitted, proposed a new access with 4no. parking spaces in a tandem arrangement, however, LCC Highway Services advised that the spaces could not be accessed due to the pedestrian refuge on Eaves Lane. LCC Highway Services requested that the parking spaces were removed and that it would be acceptable for the proposed development to have no off-street parking provision as the site is located within a sustainable location. The plan was, therefore, amended in line with LCC Highway Services' comments and no longer proposes a new access, nor does it provide any parking. In addition, the plan also identifies that the existing vehicle crossing would be reinstated.

22. It is noted that objections refer to the lack of parking in the area which is considered to be saturated, however, LCC Highway Services do not raise impact on capacity as an issue or raise an objection on these grounds.

23. LCC Highway Services have also requested secure and covered cycle storage for a minimum of one secure cycle space for each property in order to support social inclusion and promote sustainable forms of transport. This is indicated on the submitted plan, however, full details of the specification and type of cycle storage could be secured by condition.

24. Although the proposed development does not accord with the parking standard set out at Appendix A of the Chorley Local Plan 2012 - 2026, the site is located in a sustainable location and has access to a range amenities and services by sustainable transport options other than the car. In addition, LCC Highway Services confirms that they consider it to be acceptable for the development to have no parking provision in this location.

25. Given the location of the development and the advice obtained from LCC Highway Services, it is not considered that the proposal would be detrimental to highway safety having regard to policy BNE1 of the Chorley Local Plan 2012 – 2026.

Public open space

26. 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.

27. Until recently the National Planning Practice Guidance (NPPG) previously set out a threshold for tariff-style contributions, stating 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. This guidance has been removed from the latest NPPG and has been replaced with a requirement that planning obligations for affordable housing should only be sought for residential developments that are major developments.

28. Specifically, the guidance was derived from the order of the Court of Appeal dated 13 May 2016, which gave legal effect to the policy set out in the Written Ministerial Statement of 28 November 2014 which has not been withdrawn and which should, therefore, clearly still be taken into account as a material consideration in the assessment of planning applications.

29. To this end whilst 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.

30. Consequently, 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 10, or fewer, dwellings. The Council has agreed to only seek contributions towards provision for children/young people on developments of 10 dwellings or less.

31. In relation to provision for children/young people, policy HS4A of the Chorley Local Plan 2012 - 2026 sets a standard of 0.08 hectares per 1,000 population. There is currently neither a surplus nor a deficit of provision in Chorley East in relation to this standard and the site is within the accessibility catchment (800m) of an area of provision for children/young people. A contribution towards new provision in the ward is not, therefore, required from this development.

32. However, there are areas of provision for children/young people within the accessibility catchment that are identified as being low quality and/or low value in the Open Space Study (sites 1330.1 and 1330.2 Tatton Recreation Ground Play Area and Playground; 1284 Grey Heights View Play Area; 2005 Bracken Close Play Area). A contribution towards improvements to these sites is, therefore, required from this development.

33. The amount required is £134 per dwelling =£534

34. This financial contribution would be secured by a S106 agreement.

Land contamination

35. The Council's land contamination officer has assessed the application and has requested investigations due to the past activity on the site as a substation. This could be conditioned accordingly.

CONCLUSION

36. The application proposes a sustainable form of development and the principle of a residential development on this site is acceptable in planning policy terms. Access is a detailed matter; however, the application no longer proposes a vehicular access, following the advice from LCC Highway Services. Matters of design and amenity would be addressed at reserved matters stage. The application accords with the relevant policies of the Development Plan and it is recommended that planning permission is granted, subject to conditions and a S106 agreement to secure a financial contribution towards improvements to children's play areas.

Suggested conditions

37. To follow.

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.