

**Item 3**                      **10/00079/FUL**                      **Permit (Subject to Legal Agreement)**

**Case Officer**              **Mr Andy Wiggett**

**Ward**                              **Chorley East**

**Proposal**                      **Demolition of detached bungalow and garage and erection of 8 affordable houses with ancillary parking and enclosures**

**Location**                      **Pennines 2 Crosse Hall Lane Chorley PR6 0QJ**

**Applicant**                      **Mr Lee Jackson**

**Proposal**                      The application is a resubmission of one withdrawn in January 2010 for 8 town houses. The revised application is for 8, 2 storey town houses with 150% car parking provision in the form of a central parking court and parking on an area of Council lock up garages. The proposal would require the demolition of the existing bungalow on the site. To the south of the site is the green of the St James bowling Club off Eaves Lane. To the west is a pair of semi-detached bungalows with small rear gardens of 5m in length and to the east, the two storey houses of Valley View. Across the road is the Shepherds Arms public house, two semi-detached houses and the playing fields of the St James C of E Primary School.

**Policy**                              **Chorley Borough Local Plan Review:**  
**GN1** – Settlement Policy – Main Settlements  
**GN5** – Building Design  
**HS4** – Design and Layout of Residential Developments  
**HS6** – Housing Windfall Sites  
**TR4** – Highway Development Control Criteria

**Planning History**              **07/01046/FUL:** Demolition of existing detached bungalow and garage and erection of 8 no. town houses with parking.  
Decision: Withdrawn      Decision Date: 8 November 2007

**08/00139/FUL:** Demolition of one detached bungalow and garage and erection of 6no. town houses.  
Decision: Approved      Decision Date: 1 August 2008

**09/00972/FUL:** Demolition of detached bungalow and garage and erection of 8 affordable housing with ancillary parking and enclosures  
Decision: Withdrawn      Decision Date: 22 January 2010

**Consultations**                      **Coal Authority** – standard comments  
**Neighbourhoods Directorate** – require a desktop study of the potential for contamination and any necessary remediation measures.

**Representations**              One letter of objection has been received raising the following issues:

- Permission exists for 6 dwellings it should not be increased to 8 as it will result in greater congestion on Crosse Hall Lane

## Applicant's Case

- The site is opposite a school and the road layout should be major considerations
- The level of car parking is inadequate
- The dwellings have been designed in relation to the site having regard to site constraints, relationship to boundaries and of a massing and scale which complements the surrounding built fabric
- 150% parking reflects the sustainability of the site
- All plots respect the stand off distances to adjacent property with rear gardens being 10m to avoid overlooking.
- The gable of plot 8 is 13.4m from the rear of the existing bungalows to the west
- A 400mm high knee rail will be erected along the front boundary and 1.8m high timber fencing is proposed to the rear and side boundaries

## Assessment

The application is a resubmission which attempts to overcome the criticisms of the original application in terms of overdevelopment of the site. The density has increased to 62 d/ha from 57d/ha. In view of the density and the nature of the space around the dwellings it is recommended that permitted development rights be withdrawn.

### *Highways and Car Parking*

The car parking provision has been increased to 1.5 per dwelling which meets the minimum standard set out by the Regional Spatial Strategy with regard to sustainable locations. There have been no objections from the Highway Authority with regard to the application. The level of car parking has been supplemented by incorporating an adjacent piece of land currently occupied by lock-up garages, demolishing these and laying out 4 parking spaces.

### *Impact on Neighbour Amenity*

The Plot 8 has been set down by 0.7m from the floor level of the bungalow to the west on Eaves so that there is now a 13.4m distance. At first floor on the side elevation there are no windows but on the ground floor there is a window to a dining kitchen. This is a habitable room and one solution to overcome the overlooking problem is to require a 2m high close boarded fence along this boundary.

With regard to the relationship with the property on Valley Drive, the rear of the proposed dwellings would be in line with the northern elevation of no. 20. There would be no first floor windows and the dining room window on the ground floor would be adjacent to the cleared garage site. As the new houses would be at right angles to those on Valley View, there would be no problem of overlooking. However, with regard to the property across the other side of Crosse Hall Lane to the north, the new houses would have first floor bedroom windows 19m from those opposite. This is less than the recommended guideline adopted by the Council. The issue is one of streetscene in relation to the privacy of the houses opposite as the Government's guidance set out in Manual for Streets (2007) recommends that a separation distance for residential streets of between 12 to 18m is acceptable. This Government guidance was

produced after the Council's Design Guidance was adopted in 2004 and is a material consideration in determining planning applications. As such the proposed dwellings are considered to be acceptable in relation to the houses opposite.

#### *Design and Appearance*

The design of the proposed dwellings is conventional with brick walls, art stone details and flat grey roof tiles and picks up the details and materials of surrounding property. The immediate area includes the Shepherd Arms which is a large three storey property across the road from the site and behind the site there is the large three storey Bowling Club. However, between these two buildings are the semi-detached bungalows. In design terms, therefore, this is a mixed area with no building form predominating. As such it is considered that the new houses would not look out of place in the streetscene.

#### *Ecological Considerations*

The applicant has submitted a bat survey of the bungalow to be demolished and this has been assessed in relation to the provisions of the Conservation (Natural Habitats Etc.) Regulations 1994.

#### **Conclusion**

This amended scheme has addressed the problems of the withdrawn application with regard to the level of car parking. It is a scheme which represents the maximum development potential of the site but it is considered to be acceptable notwithstanding the objections. The layout respects the amenity of adjoining residential properties and the design is not out of place.

#### **Recommendation: Permit (Subject to Legal Agreement) Conditions**

1. The proposed development must be begun not later than three years from the date of this permission.

*Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.*

2. No development shall take place until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail which may have previously been submitted. The scheme shall indicate all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform.

*Reason: In the interests of the amenity of the area and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.*

3. The development hereby permitted shall not commence until full details of the colour, form and texture of all external facing materials to the proposed buildings (notwithstanding any details shown on the previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials.

*Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.*

4. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

*Reason: In the interest of the appearance of the locality and in accordance with Policy No GN5 of the Adopted Chorley Borough Local Plan Review.*

5. Before any development hereby permitted is first commenced, full details of the surfacing, drainage and marking out of all car park and vehicle manoeuvring areas shall have been submitted to and approved in writing by the Local Planning Authority. The car park and vehicle manoeuvring areas shall be provided in accordance with the approved details prior to first occupation of the premises as hereby permitted. The car park and vehicle manoeuvring areas shall not thereafter be used for any purpose other than the parking of and manoeuvring of vehicles.

*Reason: To ensure adequate on site provision of car parking and manoeuvring areas and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review.*

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