

Item 2 **10/00273/OUT**

Case Officer **Mrs Helen Lowe**

Ward **Chorley South East**

Proposal **Outline application for the erection of 7 dwellings and associated works**

Location **Pall Mall Garages And Sheds 81A Pall Mall Chorley LancashirePR7 3LT**

Applicant **Ms T Molinga**

Consultation expiry: 21 May 2010

Application expiry: 11 June 2010

Proposal

1. This is an outline application for the demolition of a number of existing buildings and structures that are currently vacant and redevelopment of the site with 7 two and half storey dwellings and associated access and parking.

2. It is not known how long the site/premises have been vacant for. In the 1960s it was used as garden and home improvement sales centre and in 1985 an application to use part of the site for car repairs was refused. Since then there appear to have been a number of unauthorised manufacturing uses.

3. The site is surrounded by residential accommodation on all sides.

Recommendation

4. It is recommended that this application be refused should not amended plans be received. If amended plans are received the recommendation is for conditional outline planning approval subject to the associated Section 106 Agreement.

Main Issues

5. The main issues for consideration in respect of this planning application are:

- Principle of redevelopment for housing
- Design and appearance
- Impact on neighbour amenity
- Highway safety and parking
- Ecological impacts

Representations

6. One letter of support from a resident of File Street has been received.

Consultations

7. Lancashire County Council (Ecology) comments awaited

8. The Environment Agency no objection subject to condition

9. The Architectural Design and Crime Reduction Advisor comments awaited

10. Chorley's Conservation Officer (on behalf of Urban Design Officer) design approach is acceptable, subject to certain detailed matters being resolved

11. United Utilities comments awaited

12. Lancashire County Council (Highways) comments awaited
13. Chorley's Waste & Contaminated Land Officer no objection subject to conditions
14. Planning policy site is within settlement boundary and in a sustainable location. Policies GN1, HS22 and EM9 are applicable.

Assessment

Principle of redevelopment of site

15. The application site lies within the settlement boundary of Chorley and the eastern part of the site is within an area identified as an established housing area, policy HS22, although there is no existing housing on the site. Policy HS22 seeks to ensure that existing housing areas within Chorley are retained.

16. The Planning Policy section have noted that the policy EM9 may apply to the site as the site and premises were last used for employment uses and have become vacant. They advise that in such cases the site should be marketed for employment uses for at least nine months in order to demonstrate that there is no realistic prospect of re-use of the land/premises for employment purposes.

17. Having regard to the history of the site it would appear that from the late 1980s it is possible that there have been some manufacturing uses on the site, that were unauthorised, but may have become lawful through the passage of time. It is unclear when these uses ceased on site, although according to local residents the larger two storey red brick building has been empty for around 20 years. The frontage of the site (facing Pall Mall) has been used for the sale of sheds and garages until relatively recently and the single storey building fronting Silvester Road may have been used approximately 10 years ago for car sales/repairs.

18. Given the lack of clarity about the nature and authorisation of the uses that have taken place on the site, it may be considered unreasonable to require such an extensive marketing exercise as required by policy EM9 and the accompanying SPG. It could be difficult to establish that the lawful use of the site is employment uses, thereby making it extremely difficult to market for such purposes. Additionally, policy EM9 also states that other uses may be considered where employment re-use or redevelopment would no longer be appropriate for planning or environmental reasons

19. As the site is located in such close proximity to residential properties and has apparently not been used for employment purposes in the recent past it is considered that it would not be appropriate to seek employment uses in preference to residential uses on the site.

Design and appearance

20. The design of the proposal follows the principles of scale and format as seen in adjoining terraced properties in File Street to the north and Pall Mall to the west, albeit with an additional bedroom in the roof space. The properties to the south and east on Silvester Road are semi detached. By orientating the properties to align with those on File Street and Pall Mall, rather than to face those on Silvester Street give an interesting contrast and allows for a more intensive use of the site. It is recommended that conditions be attached requiring details of materials to be agreed by sample. It is considered that the scale and layout proposed is in keeping with the character of the surrounding area.

Impact on neighbour amenity

21. The proposed layout of the development would result in the gable ends of the proposed dwellings being 13m from the front elevations of properties on Silvester Road. The rear of plots 6 & 7 would be 12m from the side gable of no. 13 Silvester Road (there is a first floor window in this side elevation but this appears to be to a non-habitable room). Plots 1&2 and 3,4&5 would lie parallel with the rows of terraces on Pall Mall and File Street respectively, immediately adjacent to the gable ends of the end terraced properties. Plots 6&7 would lie further forward (west) of the front elevations of 1-5 File Street. The proposed dwellings would project slightly forward of a 45 degree line taken from the nearest ground floor

window on no. 5 File Street. However, given that there would be a separation of 8m between no. 5 File Street and plot 6 and the fact that the proposed dwelling would be adjacent to the front garden area of no. 5 File Street (rather than overshadowing private amenity space to the rear), it is not considered that this would be unduly detrimental to the occupants of no. 5 File Street.

22. Plots 1&2 would front onto Pall Mall, their first floor windows being 18m from facing windows in properties directly opposite. This is less than the Council's Guideline of 21m. However, to set back the front elevation of the proposed dwellings would be harmful to the street scene and their location reflects the relationship between other existing dwellings on Pall Mall. To date no comments have been received from the occupants of these properties.

23. Some of the Council's interface standards would not be met between the proposed dwellings on the application site. However as these reflect the character and layout of existing neighbouring properties and only existing between new properties this is not considered to be unduly harmful.

Highway safety and parking

24. The application proposes two, three bedroomed properties and five, four bedroomed properties. All vehicular access is to be taken off Silvester Road. The three bedroomed properties have been provided with two off road parking spaces per dwelling. There are eight remaining spaces to serve the five, four bedroomed properties.

25. The Draft RSS Parking Standards advise a level of parking that dwellings with three bedrooms should have two off road parking space and four bedroomed properties should have three of road parking spaces. It advises that when levels proposed that are lower than this provision for alternative modes and mechanisms to reduce the need to own cars will be a significant factor.

26. Although the application site is in a relatively sustainable location, close to the town centre, public transport links and other amenities, it is considered that such a reduction in the levels of parking provision is unacceptable, particularly given the limited levels of on and off street parking in the locality.

Ecological impacts

27. The applicant has provided a bat survey with the application as the proposal involves the demolition of a number of buildings. The survey concludes that there is currently no evidence to suggest that the buildings have any importance for bat conservation and that further surveys are not warranted. It makes a number of recommendations as to how the development should proceed with a precautionary approach. Subject to the agreement of the LCC Ecologist and imposition of suitable conditions it is considered that the applicant has adequately demonstrated that the proposal would not have an adverse effect on a protected species.

28. There is a mature (unprotected) tree in the south west corner of the site, the layout of the proposal allows for this tree to be retained.

Section 106 Agreement

29. The applicant has been informed of the need to enter into a s106 agreement to secure a contribution towards the provision of outdoor play space.

Sustainable Resources

30. The applicant has provided a supporting statement to show how the requirements of policy SR1 will be met. Comments are awaited from the Planning Policy section as to adequacy of this statement. Conditions can be attached to ensure that the aims of this policy are met.

Overall Conclusion

31. In its current form the application is unacceptable, due to the proposed levels of parking. However, the applicant has indicated that they would be willing to reconsider this aspect of

the proposal. If satisfactory amended plans are received the proposal could be recommended for approval.

Other Matters

32. Two of the buildings on the site adjoin existing dwellings (no. 73 Pall Mall and No. 18 Pall Mall). In order to ensure that the gable ends of these buildings are made good once these buildings are demolished it is considered to be appropriate to attach a condition requiring these works to take place.

Planning Policies

National Planning Policies:
PPS1, PPS3

North West Regional Spatial Strategy
Policies: Draft RSS Parking Standards

Adopted Chorley Borough Local Plan Review
Policies: GN1, GN5, EP4, EP9, HS4, HS22, EM9, TR4

Supplementary Planning Guidance:

- Statement of Community Involvement
- Design Guide

Chorley's Local Development Framework

- Policy SR1: Incorporating Sustainable Resources into New Development
- Sustainable Resources Development Plan Document
- Sustainable Resources Supplementary Planning Document

Planning History

77/00389 Rebuilding of part of home improvement centre
Approved

85/00086 Change of use from garden centre to mixed use for car repairs/servicing, car sales, manufacture of garden sheds, sale and display of sheds, garages and gas heaters
Refused

Recommendation: Refusal of Outline Planning Permission

Reasons

1. The proposed development does not provide for an adequate level of off street parking. This would give rise to an unacceptable level of on street parking which would be detrimental to highway safety and be harmful to the amenities of neighbouring residents. The proposal is therefore contrary to policies HS4 and TR4 of the Adopted Chorley Borough Local Plan Review.
