

## **APPLICATION REPORT – 22/00266/FUL**

**Validation Date: 30 March 2022**

**Ward: Coppull**

**Type of Application: Full Planning**

**Proposal: Erection of 4no. dwellings following demolition of existing dwelling and outbuildings**

**Location: 122 Chapel Lane Coppull Chorley PR7 4PN**

**Case Officer: Mr Iain Crossland**

**Applicant: Mr A Banks, AB Developments & Construction Ltd**

**Agent: Mr Andrew Chapman, Synergy Design Concepts Ltd**

**Consultation expiry: 9 June 2022**

**Decision due by: 25 May 2022**

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### **RECOMMENDATION**

1. It is recommended that planning permission is granted subject to conditions and a S106 agreement.

### **SITE DESCRIPTION**

2. The application site is located in the settlement area of Coppull and forms a corner plot between Lancaster Street and Chapel Lane. It is occupied by a bungalow of traditional design and two outbuildings set within a particularly sizeable garden curtilage. The locality is predominantly residential in nature with a mixture of design styles and era's in evidence. There are currently two vehicular access points from Chapel Lane into the site, whilst there is also access from Lancaster Street. There is a change in levels across the site with the land sloping from Chapel Lane down towards Hurst Brook.
3. It is noted that outline planning permission for four dwellings was granted approved in July 2017, but that this permission has since lapsed.

### **DESCRIPTION OF PROPOSED DEVELOPMENT**

4. This application seeks full planning permission for the erection of four dwellings following the demolition of the existing dwelling and outbuildings. The proposed dwellings would be of a traditional form with contemporary features and would include attached garages and driveway parking to the frontages with garden areas to the front and rear. Three of the dwellings would face onto Chapel Lane, whilst one dwelling would face onto Lancaster Street.

### **REPRESENTATIONS**

5. Representations in objection have been received from no.10 individuals raising the following issues:
  - Impact on highway safety and existing highway concerns
  - Loss of privacy

- Loss of outlook
- Loss of light and overshadowing
- Impact on surface water drainage
- Out of character with surrounding development
- Overdevelopment of the site
- The site is only suitable for one dwelling

## CONSULTATIONS

6. Coppull Parish Council: have commented that The proposed development appears to be excessive for the site. In particular, plots 2 and 3 appear to be overdevelopment that would result in insufficient "garden" area that is not covered by either buildings or hard surfacing. In addition, the construction of 3-storey dwellings on an already elevated site raises concerns over a loss of privacy for the neighbouring properties.
7. Greater Manchester Ecology Unit: Have no objection subject to conditions.
8. Waste & Contaminated Land: Have no comments to make.
9. Lancashire County Council Highway Services: Have no objection subject to conditions.
10. United Utilities: Have no objection subject to condition.

## PLANNING CONSIDERATIONS

### Principle of development

11. 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. One of the core principles of the Framework is that development should be focussed in locations that are sustainable. The site is located in a sustainable location with access to public transport and local amenities such as shops, schools, community centre facilities, churches, sports and leisure facilities, employment sites and public houses, and the means to access other nearby amenities relatively easily.
12. Policy 1(d) of the Central Lancashire Core Strategy states that some growth and investment will be encouraged in Urban Local Service Centres to help meet housing and employment needs. Coppull is identified as one of the Urban Local Service Centres and therefore the proposed development is in line with this policy.
13. The current use of the site is as a dwellinghouse and associated garden and outbuildings. As such the development of the site should be considered in relation to policy HS3 of the Chorley Local Plan 2012 – 2026. This 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.*
  - (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.*
14. The proposed development does not specifically comply with criteria (a) or (b) due to the nature of what is proposed. With regards to criteria (c), the site does form a gap in the pattern of development along Chapel Lane and at the eastern end of Lancaster Street, and is within a built up area of urban character, comprising residential housing estates and more traditional linear development. The application site includes an unusually large garden area, the appearance of which is somewhat anomalous in the context of the present surroundings. As such it represents an opportunity for infill development within the settlement.

15. Paragraph 5.27 of the preamble to Policy HS3 states that when assessing applications for garden sites the Council will also have regard to the relationship of development with surrounding character in terms of density, siting, layout, massing, scale, design, materials building to plot ratio and landscaping. The preamble also states that the Council will have regard to sustainability issues such as access to public transport, school, businesses and local services and facilities.
16. It is noted that there are a range of dwelling types and styles in the locality from different time periods, including detached, semi-detached and terraced housing in characterful traditional forms and of more simple modern designs. There is also a range of housing densities in evidence, although a lower density suburban form has become prevalent. The proposed development comprises 4no. detached dwellings of traditional form with some contemporary features. The layout is such that it reflects the siting and scale of other properties along Chapel Lane and Lancaster Street with three facing onto Chapel Lane and one facing onto Lancaster Street. This would respect the current street patterns and would be a logical response in the context of the area. Whilst the scale of the proposed dwellings would be slightly taller than those nearest to the site they would not appear discordant given the changes in levels along Chapel Lane and given the range of dwellings types around the site. At a density of 20 dwellings per hectare the density of the proposed scheme would be low and consistent with the character of the area, whilst the dwelling to plot ratio would provide larger garden areas than some other nearby properties and is largely reflective of local character. At present the site has an unusually large garden, which is not reflective of local character, and its preservation would be of no particular value to the distinctiveness of the area. On this basis the proposed development would not be harmful to the character of the area.
17. Policy HS3 includes the additional sustainability criteria detailed above, and in terms of this issue there are factors which weigh in favour of the proposal. The site is located in the settlement area of Coppull with a good level of accessibility to shops, schools and other services and amenities, public transport and local employment opportunities as set out above.
18. The proposed development would not be contrary to the objectives that policy HS3 has been designed to achieve, which has been accepted under the approval of the previous outline planning permission 17/00529/OUT. On this basis the principle of the development is considered to be acceptable, subject to other material planning considerations.

Impact on character and appearance of the locality

19. The proposed development comprises four dwellings to be located on the site and garden of no.122 Chapel Lane following the demolition of the existing dwelling and outbuildings. The proposed site plan identifies that the dwellings would be arranged and positioned so that there would be one detached dwelling facing Lancaster Street and three detached dwellings facing Chapel Lane, each with individual vehicular access to the highway. This would be reflective of the current pattern of development in the area and it is considered that this would have a positive impact in terms of creating an active street frontage and contributing to the character of the area.
20. The existing dwelling on the site is a bungalow of traditional design style faced in white render, with an unusually large garden. The dwelling and garden are not consistent with other properties in the area, which has evolved over the years to include significant number of detached and semi-detached dwellings of modern design style. The associated outbuildings are functional in appearance and of no architectural merit.
21. The proposed dwellings would be of a traditional form with some contemporary features. They would be slightly taller than those nearest to the site, however, they would not appear discordant given the changes in levels along Chapel Lane and given the range of dwellings types around the site. At a density of 20 dwellings per hectare the density of the proposed scheme would be low and consistent with the character of the area, whilst the dwelling to plot ratio would provide larger garden areas than some other nearby properties and is largely reflective of local character.

22. The proposed dwellings would add to the mixture of design styles in the locality, whilst the use of appropriate materials would help to generate some consistency in relation to local character. No landscaping or boundary scheme is included at this stage, however, this would form an important component as regards the details of the eventual appearance of the development. Overall, it is considered that the proposed development would have no severely detrimental impact on the character of the area.

#### Impact on neighbour amenity

23. The application site is bound by dwellings to the south and west. The dwelling to the west at no.56 Lancaster Street is immediately adjacent to the site and the dwelling at plot 1 would be positioned immediately adjacent to and in line with no.56 Lancaster Street. As such it would not be particularly visible from any windows to habitable rooms at this dwelling and would occupy a similar position to an outbuilding in this position. It is noted that there is a small conservatory attached to the rear of no.56 Lancaster Street. The dwelling proposed at plot 1 would have some impact on light in relation to this conservatory, particularly in the mornings. However, given the current impact of the existing outbuilding and the position to the east it is not considered that the impact would be unacceptably harmful.
24. Dwellinghouses at nos. 1 to 6 Hurst Brook bound the site to the south. These already face the domestic garden to no.122 Chapel Lane. The dwelling at plot 1 would be located some 16m from the garden boundary with 6 Hurst Brook and approximately 25m from the property itself. As such there would be an acceptable relationship in line with the Council's interface guidelines.
25. Plot 4 would have a side elevation facing the rear of nos.2, 3 and 4 Hurst Brook, and would share a garden boundary with numbers nos.1 to 5 Hurst Brook. The dwelling at 1 Hurst Brook would not directly face the side of the dwelling at plot 4 although it would be visible from within the garden and property. The impact on outlook in relation to this dwelling would not be unacceptably adverse and would retain a good degree of openness.
26. The proposed dwelling at plot 4 would be positioned approximately 12m to the north of the dwelling at no.2 Hurst Brook at its closest point and 6m from the garden and would be positioned at a higher land level. Although there would be no impact on direct light due to the relative positioning there would be some impact on outlook as the property would be visible, particularly given the difference in land level with plot 4 positioned at a relatively higher level. Views would be towards the front of the dwelling, which includes a side element that is lower in height and set back from the front. This reduces the massing of the building and reduces any overbearing effect to an acceptable degree. Although it is recognised that the impact on outlook relative to the currently open garden area is clearly greater it is not considered to result in a harmful relationship by virtue of the degree of separation in spite of the difference in levels.
27. There would be no windows in the side elevation of the dwelling at plot 4 facing 2 Hurst Brook, however, it is noted that the retaining structure that would be created to the front and side to create a development platform would result in a raised driveway and parking area relative to the properties at Hurst Brook. It is considered that the inclusion of a solid form of boundary treatment along the edge of the retaining structure for its entire length would protect the privacy of the occupiers of Hurst Brook without compromising outlook to any greater extent than the proposed dwelling, and given the degree of separation from the properties and gardens at nos. 1 to 4 Hurst Brook would have no unacceptably detrimental impact on the outlook of the occupiers of these properties. It is recommended that appropriate boundary treatment be secured by condition.
28. The properties at nos.3 and 4 Hurst Brook have longer rear gardens than those at 1 and 2 and are, therefore, positioned further from the side elevation of the proposed dwelling at plot 4, although the proposed dwelling would be sited at a higher level. No.3 Hurst Brook would be located approximately 15m from the side elevation of plot 4 at its nearest point, and would have a garden boundary approximately 4m from the proposed dwelling. This is considered to be an adequate degree of separation such that there would be no unacceptable detrimental impact on outlook through overbearing. Again it is recognised that

the impact on outlook relative to the currently open garden area is clearly greater, however, it is not considered to result in a harmful relationship by virtue of the degree of separation, and is a typical relationship of residential areas.

29. No.4 Hurst Brook would face a single storey element to plot 4 and is, therefore, impacted upon less than no.3 Hurst Brook. This dwelling would be located approximately 16m from the side elevation of plot 4 at its nearest point, and would have a garden boundary approximately 5m from the rear garden boundary. This is considered to be an adequate degree of separation such that there would be no unacceptable detrimental impact on outlook through overbearing, particularly given the scale of this element of the proposed building.
30. There is a dwelling at no.1 Goose Green Avenue that would be approximately 11m from the application site. The proposed dwellings at plots 2, 3 and 4 would face the garden and side elevation of this property. The relative siting and degree of separation is such that there would be no unacceptable impacts on the amenity of the occupiers of this dwelling.
31. Overall, it is considered that the proposed development would result in no unacceptable detrimental impacts on the amenity of the occupiers of nearby neighbouring properties, and complies with the provisions of policy BNE1 of the Chorley Local Plan 2012 – 2026.

#### Highway safety

32. The proposed development involves demolition of the existing buildings on site and its redevelopment with 4no. detached houses, one with access to Lancaster Street and three with access to Chapel Lane.
33. Both Chapel Lane and Lancaster Street are secondary distributor roads with residential frontages and the site currently has two vehicle accesses to Chapel Lane. Although the section of Chapel Lane fronting the site is curved, as highlighted by some of the representations received, visibility appears good. Furthermore, these sections of Chapel Lane and Lancaster Street are currently subject to 20mph speed limit restriction.
34. As such Lancashire County Council, as the highway authority, does not have any objections regarding the proposed erection of 4 no. dwellings following demolition of existing dwelling and outbuildings 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.
35. In terms of the parking requirement, off-street car parking would be provided in accordance with the current Chorley Council parking standards set out in Appendix A of the Chorley Local Plan 2012 - 2026, which requires two parking spaces per three bedroomed dwelling and three parking spaces per four or more bedroomed dwelling.

#### Ecology

36. The site is occupied by several buildings set within managed grassland. A bat survey has been carried out and submitted in support of the proposed development. The survey found no evidence of bats during the inspection of the building and no bats were found emerging from the building during the activity survey. The report has been reviewed and verified by the Council's ecology advisors the Greater Manchester Ecology Unit (GMEU), who agreed that an appropriate level of assessment has been carried out and accept the findings of the report.

#### Flood risk and drainage

37. The application site is not located in an area that is at risk of flooding from pluvial or fluvial sources, according to Environment Agency mapping data. In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

38. The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. As such the developer should consider the following drainage options in the following order of priority:
1. into the ground (infiltration);
  2. to a surface water body;
  3. to a surface water sewer, highway drain, or another drainage system;
  4. to a combined sewer.
39. It is, therefore, recommended that a condition be attached to any grant of planning permission requiring a surface water drainage scheme to be submitted that includes details of an investigation of the hierarchy of drainage options in the National Planning Practice Guidance.

#### Sustainability

40. Policy 27 of the Core Strategy currently requires dwellinghouses to be built to meet Code for Sustainable Homes Level 4 which increases to Level 6 on 1st January 2016. However 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.”*

As such, there is a requirement for the proposed dwellings to achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations in accordance with the above provisions. This can be controlled by conditions.

#### Public open space (POS)

41. 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.
42. 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.
43. 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.
44. Consequently, the Council must determine what lower thresholds are appropriate based on local circumstances as an exception to national policies. The Council has agreed to only

seek contributions towards provision for children/young people on developments of 10 dwellings or less.

45. There is currently a surplus of provision in Coppull 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, therefore, not required from this development. 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 Assessment Report (February 2019)/Open Space Study Paper (February 2019) (sites 1369.1 Hurst Brook Play Area, Coppull; 1363.1 Play area adjacent 105 Longfield Avenue, Coppull; 1373.1 Byron Crescent Play Area, Coppull; 1373.2 Byron Crescent MUGA, Coppull). A contribution towards improvements to these sites is, therefore, required from this development. The amount required is £134 per dwelling.

#### Community Infrastructure Levy

46. 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**

47. The proposed development is considered to be acceptable in principle and would be compatible with the pattern and character of development in the area. There would be no unacceptable impact on the amenity of nearby residential occupiers and it would not give rise to undue harm to ecology, drainage or highway safety. It is, therefore, recommended that planning permission be granted subject to conditions and a s106 agreement.

### **RELEVANT HISTORY OF THE SITE**

**Ref:** 80/00714/FUL                      **Decision:** PERFPP      **Decision Date:** 10 September 1980  
**Description:** Garage for caravan and car

**Ref:** 17/00529/OUT                      **Decision:** PEROPP      **Decision Date:** 19 July 2017  
**Description:** Outline application for up to 4 dwellings following demolition of existing dwelling and outbuildings (with all matters reserved)

**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.