

Application No: 10/00771/FUL

Case Officer: Mr Matthew Birkinshaw

Ward: Adlington & Anderton

Proposal: Demolition of existing garages and erection of 5No 2 Bed 3 Person Bungalows.

Location: Land Immediately East Of 43 - 51 Acresfield Adlington Lancashire

Applicant: Adactus Housing

Consultation expiry: 5 November 2010

Application expiry: 27 October 2010

Proposal

1. The application seeks full planning permission for the demolition of former lock-up garages located off Acresfield and the erection of five 2-bedroom bungalows. Each property will be let through the registered social landlord and applicant 'Adactus Housing Association' ('Adactus').

Recommendation

2. It is recommended that this application is granted full planning permission subject to conditions and the applicant entering into a Section 106 legal agreement.

Site Description

3. The application site comprises 32no. former lock-up garages located to the rear of 39-51 Acresfield and 14-20 Windsor Avenue, Adlington. The site is bounded to the north by similar garages to the rear of terraced properties on Park Road, to the east by the rear gardens of bungalows on Windsor Avenue, to the south by an area of designated open space, and to the west by the rear gardens of semi-detached properties on Acresfield. Access is taken via Acresfield to the north-west corner of the site.

4. The majority of garages are un-used and face inwards onto an area of hard standing.

Main Issues

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

- *The Principle of Development;*
- *Access and Parking;*
 - *Appearance, Layout, and Scale;*
 - *Impact on Neighbour Amenity; and*
 - *Other Planning Considerations.*

History

6. There is no planning history relating to the application site.

Representations

7. 2 individual letters of objection have been received. The grounds of objection can be summarised as follows:

- The proposal would result in the loss of garages, leading to increased pressures on parking along Acresfield;
- The proposal would lead to additional congestion;
- Park Road is already heavily trafficked by parked cars, which will only be

- worsened by the proposal; and
- A family street (Acresfield) would be the only access route to the application site leading to issues over highway safety.

8. Adlington Town Council have also objected to the proposal, with concerns over the additional traffic and parking problems in an already congested area, only worsened by the loss of parking spaces. The Town Council have also raised concern over the potential risk from land contamination and advised that they believe some of the garages to be privately owned.

Consultations

9. **Lancashire County Council (Highways)** – No objection. Traffic problems or congestion are unlikely to be an issue with this development. Each of the five bungalows has 2 parking spaces directly allocated to them even though not all of the householders may be car owners. Given the local amenities and public transport facilities in Adlington it is unlikely there will be any further demands for highway parking outside of this development.
10. **Chorley Borough Council Waste & Contaminated Land Officer** - No objection subject to condition. The Council's Contaminated Land Officer has reviewed the Phase 1 Desk Study submitted by the applicant and is satisfied with the content of the report. This makes recommendations for further intrusive site investigations to determine the status of contamination and whether as a result any remedial works will be necessary. This can be controlled and enforced through the use of a planning condition.
11. **Chorley Borough Council Affordable Housing Officer** – No objection. The Strategic Housing Department are fully supportive of the proposed scheme. The proposed mix of 5 x 2-bedroom houses are reflective of the indicated housing need for this area as defined by the 2009 Central Lancashire Strategic Housing Market Assessment.
12. The Council will secure nomination rights for the properties, 100% for first lets and 50% thereafter. An initial agreement has been made with the applicant for a Local Lettings Policy to be applied to this scheme, the detail of which will be finalised and reflected in Section 106 Legal Agreement.
13. **Chorley Borough Council Design Advice** – No objection subject to condition. The Council's design advisor has suggested the bungalows may appear dated with the use of timber cladding proposed and it is advised that materials should be chosen to ensure the appearance of the properties reflect local character.
14. **United Utilities** – No objection subject to conditions. This includes ensuring the site is drained on separate systems, and restricting surface water so as not to discharge into a foul/combined sewer.
15. **Police Architectural Liaison Officer** – No objection. The application was referred to the ALO at the pre-application stage and the submitted documents reflect these comments.
16. **Central Lancashire Primary Care Trust** – No objection. The Central Lancashire Primary Care Trust (PCT) have advised that one of the GP practices in Adlington feels unable to accept any additional patients at the present time and the other has only limited capacity. However the PCT are working with GP's in Adlington and have secured resources for implementing improvements to capacity. The scale of development proposed as part of this application is not considered to be sufficient to have a further detrimental impact on the availability of services or be of a scale to warrant any financial contribution as a direct result of the proposal.

17. **Adlington Town Council** – Objection. Access to the site is poor and will cause additional traffic and parking problems in an already congested area. This will only be exacerbated by the loss of garages putting more pressure on the roads for parking.
18. The Town Council also feel that additional work should be undertaken to investigate the presence of contaminants and that some of the garages are privately owned.

Assessment

Principle of Development

19. The application seeks full planning permission for new residential development within the Adlington settlement boundary. Local Plan Policy GN1 sets out a presumption in favour of appropriate development within Adlington subject to meeting other relevant policy tests. The proposal for new family housing is considered appropriate in this location which is characterised and surrounded by similar predominantly family housing.
20. The proposal will bring about the efficient re-use of previously developed land and buildings and is therefore synonymous with the objectives of PPS1 which seeks to maximise the re-use of existing land in urban areas. The application site is also well positioned to benefit from good accessibility to local shops and community services within Adlington and the principle of new affordable family housing in this location is therefore considered to be acceptable subject to meeting other policy requirements.

Access and Parking

21. Local Plan Policies HS4 and TR4 require proposals for new residential development to achieve adequate and safe access and produce appropriate levels of off-street parking. Policy HS4 also restricts proposals which would have a detrimental impact on amenity which could include issues relating to parking and congestion.
22. In terms of an adequate and safe access both into and throughout the site the applicants have worked closely with Lancashire County Council in the evolution of the proposed layout. The submitted scheme follows this design work and complies with national standards set out in the Manual for Streets, utilising an existing access with adequate sight lines.
23. LCC Highways have commented in response to local fears over additional on-street parking pressures by conforming that the 10no. off-street parking spaces will provide sufficient space for the likely parking demand arising from the development (2no. spaces allocated per dwelling). This is considered to be more than sufficient given that a relatively small family (given the bungalows are only 2-bedrooms) are unlikely to have more than 2no. vehicles per household, and may in some circumstances not own a car due to the proximity of the site to local services, shops, and public transport networks.
24. Whilst the proposal will remove a possible 32no. parking spaces for local residents the garages are predominantly unused, and have been for some time. As a result of the development therefore there will not be a significant number of additional cars forced onto the surrounding streets.
25. In terms of congestion it is not considered that this application for 5no. bungalows will lead to any significant increase in traffic volume to the detriment of neighbouring residents. As a site currently containing up to 32no. garages the site could potentially be advertised and used once again for parking if the demand arose – causing more congestion to and from the site than 5no. new bungalows.

26. The proposal therefore provides a safe and adequate access, with sufficient on-site car parking, and will not lead to any significant congestion, complying with the requirements of Local Plan Policy HS4 and TR4.

Appearance, Layout, and Scale

27. Local Plan Policies HS4 and GN5 permit new residential development provided that it, amongst other things, would respect the character of the surrounding area in terms of appearance, layout and scale. This is also reflected in the emerging Joint Core Strategy Policies 5 and 17 relating to design, which are a material consideration in the assessment of this application.
28. Submitted with the application is a Design and Access Statement which contains a detailed analysis of the surrounding context to demonstrate how this has informed the appearance of the housing proposed.
29. The surrounding area is characterised by a mix of post-war period family housing, with predominantly semi-detached and short rows of terraced housing. Older bungalows are also found immediately adjacent to the site on Windsor Avenue. In principle the incorporation of bungalows in this area is therefore considered acceptable given the varied nature and appearance of existing house types.
30. With the exception of Plot 5 the bungalows will be semi-detached. The design has sought to ensure each property has a generous proportion to the living room window which protrudes from the front elevation with bedrooms to the rear, whilst also following the appearance of other bungalows in the immediate area. Other design features include the use of timber cladding to break up elevations and give a more modern feel to the housing.
31. The Council's Design Officer has reviewed the proposal and commented that to ensure the buildings reflect the local distinctiveness of the area (in accordance with the applicant's Design and Access Statement) any materials used must match those found throughout the immediate surrounding area. This can be controlled through use of a planning condition and will ensure the appearance of the properties is appropriate for the area.
32. The layout seeks to promote natural surveillance and provide a sense of enclosure, clearly defining public areas to the front and private residential gardens to the rear. Each plot has been positioned to ensure an appropriate degree of separation between neighbouring houses in Windsor Avenue to the rear whilst providing the required level of off-street parking to the front. This layout is considered acceptable and as a single storey bungalow meets the interface distances set out in Council guidelines.
33. The application site is rectangular in nature, constrained in size given its location situated to the rear of properties on Acresfield and Windsor Avenue. The scale of housing proposed (single storey) therefore responds to this, providing family housing but without leading to any potential issues of overlooking a traditional 2-storey dwelling may result in. In terms of scale the proposal is therefore also acceptable will not look out of place next to existing bungalows, and complies with guidelines set out in the Design SPD.
34. In summary, the appearance and layout of properties has followed the character of the surrounding area with typical family housing with large bay windows, parking to the front and private garden areas to the rear. The scale of housing reflects the constrained nature of the site and reduces any potential overlooking or loss of light to those properties it adjoins. The proposal therefore meets the tests of Local Plan Policy HS4 and is considered acceptable in design terms, also complying with the Council's Design Guidance, Local Plan Policy GN5 and Policies 5 and 17 of the emerging Core Strategy.

Impact on Neighbour Amenity

35. Local Plan Policy HS4 restricts development that would fail to provide reasonable privacy and amenity. In response to the application no objections have been received from immediate neighbours to raise concern over the potential impact on amenity.
36. As a bungalow each property will only be 2.3m to eaves and 4.7m to ridge level. Given the height of the bungalows proposed they are not considered to have a detrimental impact on residential amenity by virtue of their scale or massing next to other properties.
37. In terms of overlooking Council guidelines in the adopted Design Guidance SPD state that windows to habitable rooms at ground floor level should not allow an unrestricted view into neighbouring garden areas or into the ground floor window of any other house.
38. At the rear each bungalow will have a private garden backing onto the rear gardens of properties on Windsor Avenue, separated by appropriate boundary treatment – most likely a close boarded fence. This restricts any habitable room windows at ground floor level in the proposed bungalows from overlooking into neighbouring gardens. The same can also be said for the front elevations which front onto areas of car parking, separated from houses on Acresfield by boundary fencing and rear gardens.
39. To ensure the boundary treatment is acceptable it is proposed that specific details, notwithstanding those shown on the submitted plans are submitted to and approved in writing by the Local Authority prior to works starting on site.
40. Therefore given the type, scale and massing of housing proposed it is not considered that the application will give rise to any detrimental impact on neighbouring residential amenity and the proposal meets the requirements of Local Plan Policy HS4 and the Design SPG.

Other Planning Considerations

Delivery of Affordable Housing

41. The 2007 Sustainable Community Strategy for Chorley identifies the lack of affordable housing in the Borough as a priority to address, with the waiting list for social rented accommodation having almost doubled in recent years to almost 4,000 applicants. The Chorley Corporate Strategy for 2009/10 – 2010/11 also identifies a clear need for affordable housing to meet long term objectives.
42. The proposal will make a direct contribution to these strategies and deliver affordable housing where there is a clearly defined need. The type and tenure of properties proposed also meets a defined need for family housing and smaller 2-bedroom properties for the rented market. The Section 106 agreement will ensure new family housing is made available for local people under the agreed local lettings policy. The delivery of additional affordable housing and contribution this makes to the objectives and vision of the Council represents a material consideration in the determination of this application and in the planning balance.

Sustainability

43. Policy SR1 of the Sustainable Resources DPD requires all new dwellings to achieve Code for Sustainable Homes (CSH) Level 3, and secure at least 15% of energy from renewable sources. All development should comply with this unless the applicant can demonstrate through open book accounting that an individual site's circumstances are such that development would become unfeasible or unviable.

44. Whilst the proposal has been designed to meet CSH Level 3 at this stage no renewable energy technologies are proposed. The applicant has confirmed that until the final design stage it is not possible to determine the full financial viability of such technologies. It is therefore recommended that a condition is imposed requiring evidence to be submitted prior to work starting on site demonstrating that the site's circumstances are such that renewable technologies would be unfeasible and unviable in accordance with Policy SR1.

Waste Collection and Storage

45. The Waste Management Officer has no objection to the proposal in terms of waste collection and storage of bins. There are no large communal bin stores which would have an impact on residential amenity and the number of bins provided will promote household recycling consistent with other areas.

Drainage

46. United Utilities have reviewed the drawings and raised no objection subject to conditions which address drainage issues.

47. In accordance with national guidance set out in PPS25 Development and Flood Risk surface water will not be allowed to discharge into any combined/foul sewer which will prevent flooding and associated pollution. Full details will be required prior to development starting on site to ensure the appropriate controls are in place. If it is the intention of the applicant to discharge surface water (often the cause of localised drainage problems) then United Utilities will require the flow to be attenuated to a maximum discharge rate, preventing any potential problems arising from periods of heavy rain. Any water attenuation measures will need to be submitted and approved in writing by the Local Authority prior to any work starting on site.

48. Subject to these controls the proposal will have adequate foul and surface water drainage arrangements in accordance with Local Plan Policy HS6 and PPS25 and prevent issues of flooding arising.

Ownership Issues

49. Adlington Town Council has raised concerns that some of the garages are privately owned by local residents and were erected in the past for residents to use by the residents themselves, albeit on land owned by Chorley Borough Council.

50. Although nobody has come forward as part of this application to claim ownership or question the ownership boundary submitted the applicant has sought legal advice to clarify this matter. This confirms that garage owners would need to demonstrate occupation for over 20 years before they would be able to apply for a possessory title.

51. No applications have been submitted for registering a possessory title, no one has a formal tenancy agreement on the site and no one has come forward to register an interest. It is concluded that there is no formal interest in the land which was all previously transferred from Chorley Borough and nobody except the applicant has a freehold or leasehold on the land in question.

Overall Conclusion

52. The application site comprises a parcel of previously developed land sandwiched between the rear of properties on Acresfield and Windsor Avenue. The principle of reusing the site for new affordable family housing is therefore acceptable.

53. The main objectors to the scheme have raised concern over the congestion in the surrounding residential streets which the proposal will result in. However, the scheme incorporates space for parking 2no. vehicles per property within the site. This is considered sufficient for small 2-bedroom bungalows within easy walking distance of shops, services and public transport links in Adlington and will not lead to

parking out onto Acresfield. In terms of other parking pressures the majority of garages are no longer in use and their redevelopment will not a significant number of vehicles that once occupied them onto the surrounding streets. LCC Highways have confirmed that 5no. additional bungalows will not give rise to any serious congestion on the surrounding streets sufficient to warrant refusal of this planning application, especially when the garages could be used once more for up to 32no. vehicles under the fallback position.

54. The design is also considered appropriate in the context of the surrounding area which contains a mix of post-war housing, the scale of which will not give rise to any issues of overlooking or have any detrimental impact on residential amenity.
55. The proposal is therefore considered acceptable and will bring about the delivery of much needed new affordable family housing through the re-use of a brownfield site in an urban area. It is recommended that planning permission is granted subject to conditions and the applicant entering into a legal agreement.

Planning Policies

National Planning Policies:

PPS1, PPS3, PPS25

Adopted Chorley Borough Local Plan Review

Policies: GN1, GN5, HS4, HS6, 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
- Joint Core Strategy Policy 5 – Housing Density and Policy 17 – Design of New Buildings

Recommendation: Permit (Subject to Legal Agreement) Conditions

1. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (Schedule 2, Part 1, Classes A to E), or any Order amending or revoking and re-enacting that Order, no alterations or extensions shall be undertaken to the dwelling(s) hereby permitted, or any garage, shed or other outbuilding erected (other than those expressly authorised by this permission).
Reason: To protect the appearance of the locality and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.
2. Before the development hereby permitted is first commenced full details of existing and proposed ground levels and proposed building slab levels (all relative to ground levels adjoining the site) shall have been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on previously submitted plan(s). The development shall only be carried out in conformity with the approved details.
Reason: To protect the appearance of the locality, in the interests of the amenities of local residents and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.
3. The development hereby permitted shall not commence until samples of all external facing materials to the proposed building(s) (notwithstanding any details shown on previously submitted plan(s) 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, DC8A, DC8B, HT2, HT3, HT7, HS4, HS9, EM3, EM4A and EM5 of the Adopted Chorley Borough Local Plan Review.

4. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected (notwithstanding any such detail shown on previously submitted plan(s)) shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.

Reason: To ensure a visually satisfactory form of development, to provide reasonable standards of privacy to residents and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.

5. No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot, have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.

Reason: To ensure a visually satisfactory form of development, to provide reasonable standards of privacy to residents and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.

6. Unless it can be demonstrated through open book accounting that the requirements of Policy SR1 would make the development unviable:

No phase or sub-phase of the development shall commence until a Design Stage assessment and related certification has been submitted to and approved in writing by the Local Planning Authority demonstrating that the proposed development will be constructed to achieve the relevant Code for Sustainable Homes level. All dwellings commenced after 1 January 2010 will be required to meet Code Level 3, all dwellings commenced after 1 January 2013 will be required to meet Code Level 4 and all dwellings commenced after 1 January 2016 will be required to meet Code Level 6. In accordance with Policy SR1 of the Sustainable Resources DPD, renewable or low carbon energy sources must be installed to reduce the predicted carbon emissions of the development by at least 15% (increasing to 20% from 2015). To demonstrate that this has been achieved, the Design Stage certification must show that the proposed development will achieve 2 credits within Issue Ene 7: Low or Zero Carbon Technologies. The approved details shall be fully implemented and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

No dwelling shall be occupied until a Code for Sustainable Homes 'Post Construction Stage' assessment has been carried out and a final Code Certificate has been issued certifying that the required Code Level and 2 credits under Issue Ene7 has been achieved and the certificate has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the proper planning of the area. In accordance with Government advice contained in Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1 and in accordance with Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.

7. Before the development hereby permitted is first occupied, the car park and vehicle manoeuvring areas shall be surfaced or paved, drained and marked out all in accordance with the approved plan. 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. TR8 of the Adopted Chorley Borough Local Plan Review.

8. Notwithstanding the details shown on the submitted plans, the proposed driveway/hardsurfacing to the front of the property shall be constructed using permeable materials on a permeable base, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the boundaries of the property (rather than to the highway), unless otherwise agreed to in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to prevent flooding, in accordance with Policy Nos. GN5 of the Adopted Chorley Borough Local Plan Review and PPS25

10. Due to the size of development and sensitive end-use, the development hereby permitted shall not commence until the applicant has submitted to and had approved in writing by the Local Planning Authority a report to identify any potential sources of contamination on the site and where appropriate, necessary remediation measures. The report should include an initial desk study, site walkover and risk assessment and of the initial study identifies the potential for contamination to exist on site, the scope of a further study must then be agreed in writing with the Local Planning Authority and thereafter undertaken and shall include details of necessary remediation measures. The development shall thereafter only be carried out following the remediation of the site in full accordance with the measures stipulated in the approved report.

Reason: In the interests of safety and in accordance with Policy E16 of the Adopted Chorley Borough Local Plan Review.

11. Surface water must drain separate from the foul and no surface water will be permitted to discharge to the foul sewerage system.

Reason: To secure proper drainage and in accordance with Policy Nos. EP17 of the Adopted Chorley Borough Local Plan Review.

12. No development shall take place until a scheme for the provision and implementation of a surface water regulation system has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the approved surface water drainage arrangements have been fully implemented.

Reason: To secure proper drainage and to prevent flooding and in accordance with PPS25 and Policy No. EP18 of the Adopted Chorley Borough Local Plan Review.

13. 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.

14. 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.

15. This consent relates to the following plans:

Plan Ref.	Received On:	Title:
P1088 01B	2 December 2010	Existing Site Plan
P1088 L02	30 August 2010	Planting Strategy / Proposed Plan
P1088 11	30 August 2010	Site Sections / Elevations
P1088 16 Plans/Elevations	30 August 2010	Unit C1 Floor
P1088 17 Plans/Elevations	30 August 2010	Unit C2 Floor

Reason: To define the consent and to ensure all works are carried out in a satisfactory manner.