

APPLICATION REPORT – 24/00095/FUL

Validation Date: 28 February 2024

Ward: Chorley South East And Heath Charnock

Type of Application: Full Planning

Proposal: Construction of two storey residential building, comprising 2no. 1 bedroom apartments, with associated parking to the rear

Location: Chorley Road Adlington

Case Officer: Daniel Power

Applicant: Mr Mark Horrocks

Agent: BOARDMAN

Consultation expiry: 10 July 2024

Decision due by: 14 June 2024

RECOMMENDATION

1. It is recommended that planning permission is granted subject to the suggested planning conditions.

SITE DESCRIPTION

2. The application site is located within the settlement area of Adlington as designated under Policy V2 of the Local Plan. The site is located on the northern side of Chorley Road, at the junction with Berry Street and Daisy Hill Drive. The site is an open parcel of land, which is finished in hard standing and has been used informally for the parking of vehicles. There is a public right of way that runs along the eastern boundary of the site and allows access to the playing fields and play area at King Georges Field.

DESCRIPTION OF PROPOSED DEVELOPMENT

3. This application seeks planning permission for the construction of a two storey residential building, comprising 2no. 1 bedroom apartments, with associated parking to the rear. Each apartment would provide 1 no. double bedroom, open plan kitchen/living room and a bathroom. There would be some landscaping to the front of the building. It is noted that a 2m wide access would be retained to the north side of the site with the intention that this would accommodate a diverted public right of way, whilst a 1.2m wide access would be retained across the frontage of no. 2 Berry Street to the east side of the site to enable access to this dwelling.

REPRESENTATIONS

4. Seven letters of objection have been received and can be summarised as follows:

- The proposed building would block access to the park.
- The proposal would result in the loss of parking spaces for the area/nearby business.
- The space would be better used for a phone mast.
- The proposed building would result in overlooking to neighbouring dwellings.
- The proposed building would have an overbearing impact to neighbouring dwellings.
- The building would result in the loss of light to nearby dwellings.
- The submitted plans don't show full details of neighbouring properties.
- There is a right of access across the site which will be prevented by the development.
- The development would impact volumes to a nearby business.
- The land is not owned by the applicant.
- No provision for EV charging

CONSULTATIONS

Lancashire Highway Services

5. LCC Highways does not have any objections regarding the proposed construction of two storey residential building, comprising 2 no. 1 bedroom apartments, with associated parking to the rear and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.

Greater Manchester Ecology Unit

6. No comment to make due to the absence of habitat.

United Utilities

7. No objections, general comments relating to the drainage of the site.

Parish Council

8. Adlington Town Council considered this application at its meeting on 18 March 2024 and stated that the Local Planning Authority should consider the following concerns in reaching a decision on this application:

- The site is tight.
- A mixed response has been received from the public.
- Access to the adjacent residential property and business must be maintained.
- The proposed bin store should be repositioned to be away from being outside someone else's property.
- The existence of a Public Right of Way across this site needs to be clarified.

CIL Officers

9. This development is subject to the CIL Charge for Dwelling Houses as listed in Chorley Councils. CIL Charging Schedule.

Public Rights of Way (summarised)

10. It is likely that a 2m wide footpath at the north end of the plot (i.e. running east-south-east from the road, or more precisely, from the back of the footway) would be a suitable diversion – this would not happen automatically but could be achieved by means of an Order carried out by CBC under S257 of the Town and Country Planning Act 1990.

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.
12. Adlington is specified as an Urban Local Service Centres where some growth and investment will be encouraged to help meet housing and employment needs under criterion (d) of Central Lancashire Core Strategy policy 1.

13. The proposed development is located within the settlement area of Adlington as identified in policy V2 of the Local Plan. This policy sets out a presumption in favour of sustainable development, subject to material planning considerations and other policies and proposals in the plan. On this basis the principle of the development is considered to be acceptable.

Impact on the neighbour amenity

14. Policy BNE1 (Design Criteria for New Development) of the Chorley Local Plan 2012 -2026 stipulates that new development should not cause harm to any neighbouring property by virtue of overlooking, overshadowing, or by creating overbearing impacts; and that the proposal should not cause an unacceptable degree of noise disturbance to surrounding land uses;
15. The application proposes a detached two storey building, on the corner of Daisy Hill Drive, Berry Street and Chorley Road. Objections have been received raising concerns in relation to the impact of the development upon residential amenity. The nearest dwellings to the application site are located to the rear (north) and the side (east) of the site.
16. The proposed building would be set back from Chorley Road, with the building angled away from the end property on Chorley Road, which comprises a shop at ground floor with a flat above. Access would be retained to the flat above. There are windows in the side elevation of the flat, however, these would not directly face the proposed new building due to the relative positioning and the proposed building being set back further from the highway. It is also noted that the degree of separation and height of the building are such that the impact on light and outlook to the flat at first floor would not be unacceptably adverse.
17. To the rear of the shop with flat over is a dwelling at no.2 Berry Street sited at a right angle to the application site. The layout of the proposal is such that access to this dwelling would remain, however, the land to the front of no.2 Berry Street forms part of the application site. The existing dwelling at no.2 Berry Street would overlook the parking spaces proposed at the application site, whilst the proposed building would be offset relative to the front elevation of the dwelling at no. 2 Berry Street. As a result it is not considered that this would result in any intervisibility between the properties or any undue loss of light or outlook.
18. In relation to matters of privacy the frontage of no.2 Berry Street is currently open to the public right of way along which the public pass in accessing the playing fields and also faces towards the highway. The proposal would not reduce privacy any further beyond current levels and would likely reduce the extent of public views into the property at no.2 Berry Street from both the highway and public right of way due to the screening provided by the proposed dwelling and necessary diversion of the public right of way. It is therefore considered that there would be no unacceptably adverse impact on the amenity of the occupiers of no.2 Berry Street as a result of the proposed development.
19. There is an existing dwelling to the north of the application site at Pike View. The proposed building would be located approximately 8m from the garden to this property and approximately 12m from the property itself. The development would as a result be highly visible from the south facing windows to Pike View and from the garden to this property. The proposed development would contain windows to habitable rooms at first floor facing towards Pike View that would overlook the garden area, which would impact on the privacy of the occupiers to some extent. The degree of separation from the nearest habitable room windows would be adequate such that there would be no unacceptably adverse impacts through loss of light or outlook.
20. There is a ground floor window and a first floor window in the south side elevation of Pike View facing towards the application site. It is noted that there would be habitable room windows in the proposed development facing towards these windows at ground and first floor at a separation of approximately 12m. Although this is a relatively short interface distance the windows are not directly parallel as the properties are slightly offset, whilst they would also be positioned at an angle and not perfectly parallel. It is also noted that the south facing window in the first floor of Pike View is a secondary window to the room that it serves.

It is considered that this would avoid harm to privacy of an extent that the impact would be unacceptably adverse. The level of privacy afforded to the ground floor window would be protected by the presence of a screen wall. Although there would be some harm to the amenity of the occupiers of Pike View in relation to the use of the garden area, and to some extent in relation to the privacy afforded by the secondary window in the first floor south side elevation, it is considered that on balance the level of harm would not be so great as to warrant refusal of the application.

21. On the basis of the above it is considered that the proposed development is in line with the provisions of policy BNE1 (Design Criteria for New Development) of the Chorley Local Plan 2012 -2026

Highway safety

22. 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.
23. LCC Highways does not have any objections and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.
24. The proposal allows for one off street parking space per dwelling, which meets the recommended parking standards as set out in the Chorley Local Plan. The local highway authority request that the existing vehicle crossing on Berry Lane be shortened to accommodate the two off street parking areas.
25. The site is on the junction of Berry Lane and Daisy Hill Drive with Chorley Road and there are waiting restrictions to prevent obstructive parking in this area. With the site having constraints for parking and deliveries, whilst still maintaining safe access to the playing fields and dwellings it is recommended that a Construction Traffic Management Plan be secured by condition. This is to protect existing road users and to maintain the operation and safety of the local highway network and to minimise the impact of the construction works on the local highway network.
26. The application has been amended to maintain a 2m wide pedestrian access to the playing fields in bound material to the north side and a 1.2m wide access to 2 Berry Street. The footpath access would require a diversion under S257 of the Town and Country Planning Act 1990. LCC Highways have no objections to the proposal subject to a condition relating to Traffic management Plan and therefore subject to this the application is considered acceptable in relation to highway safety, capacity and amenity.

Design and impact to local character

27. The National Planning Policy Framework (the Framework) attaches considerable importance on achieving good design and a high-quality built environment. It states that planning policies and decisions should respond to local character and history and seek to reinforce local distinctiveness. The importance of high-quality design is reflected in the Central Lancashire Core Strategy (policy 17) and the Chorley Local Plan (policy BNE1).
28. The application proposes a detached two storey building, located on the corner of Berry Street, Daisy Hill Drive and Chorley Road. The building would have a width of 7.3 metres, a depth of 8.1 metres, an eaves height of 5 metres and a ridge of 7.6 metres and would be faced in stone. The site forms an open parcel of land, which is currently used as informal parking and does not contribute positively to the character of the area. On the opposite side of the junction permission was granted in 2009 for a detached dwelling, on a site similar to the application site, whilst Chorley Road displays the character of the linear development in a range of design styles. The scale and form of the dwelling would be similar to surrounding

development, whilst it would be set back from Chorley Road. The proposal would therefore reflect the character of the wider area and as such is considered acceptable in relation to the policy BNE1 of the Chorley Local Plan.

Other matters

29. Objections have been received relating to the land not being owned by the applicant. The applicant has provided land registry documents to confirm the applicant is the owner.
30. Objections have been received stating that the proposal would result in loss of parking for uses of nearby business and residential properties. Whilst the land may have been used for informal vehicle parking, this is not a benefit that can be secured or guaranteed and therefore only limited weight can be attached to the loss of the land for parking.

Flood risk and drainage

31. 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.
32. 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:
- into the ground (infiltration);
 - to a surface water body;
 - to a surface water sewer, highway drain, or another drainage system;
 - to a combined sewer.
33. 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.

Community Infrastructure Levy

34. 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

35. The proposed development would not have an unacceptable adverse impact the amenity of neighbouring residents to the extent that this would outweigh the benefits of providing two dwellings in a sustainable location. There would be no unacceptable impact on the character and appearance of the existing site and the surrounding area or any adverse harm to highway safety, capacity or amenity. The application therefore accords with the Framework and policy BNE1 of the Chorley Local Plan 2012 – 2026. Consequently, it is recommended that the application is approved, subject to conditions

RELEVANT HISTORY OF THE SITE

36. No relevant planning history.

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

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. The development hereby permitted shall be carried out in accordance with the approved plans below:

Title	Plan Ref	Received On
Proposed Plans and Elevations	04101 Rev P04	9 September 2024
Proposed Site Plan	01002 Rev P05	28 November 2024
Site Location Plan	02001 Rev P02	9 September 2024

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Prior to the commencement of development samples of all external facing and roofing materials (notwithstanding any details shown on previously submitted plan(s) and specification) shall be submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved.

Reason: To ensure that the materials used are visually appropriate to the locality.

4. Foul and surface water shall be drained on separate systems. Surface water shall be drained in accordance with the hierarchy of drainage options in national planning practice guidance. In the event of surface water discharging to public sewer, the rate of discharge shall be restricted to the lowest possible rate which shall be agreed with the statutory undertaker prior to connection to the public sewer.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

5. Prior to the commencement of development a Traffic Management Plan (TMP) shall be submitted to and approved in writing by the Local Planning Authority (in conjunction with the highway authority). The TMP shall include and specify the provisions to be made for the following:-

- o The parking of vehicles of site operatives and visitors;
- o Loading and unloading of plant and materials used in the construction of the development;
- o Storage of such plant and materials;
- o Periods when plant and materials trips should not be made to and from the site (mainly peak hours but the developer to identify times when trips of this nature should not be made)
- o Measures to ensure that construction and delivery vehicles do not impede access to adjoining properties.

Reason: To protect existing road users and to maintain the operation and safety of the local highway network and to minimise the impact of the construction works on the local highway network.