

**Item 3**                      **11/00737/FULMAJ**

**Case Officer**              **Caron Taylor**

**Ward**                        **Chorley East**

**Proposal**                    **Proposed residential development of 13 dwellings on site of former club premises (demolished). Resubmission of withdrawn application 11/00358/FULMAJ.**

**Location**                    **Sacred Heart Social Centre Worthy Street Chorley PR6 0NH**

**Applicant**                   **Churchstone Properties**

**Consultation expiry:**    **3 October 2011**

**Application expiry:**    **8 November 2011**

### **Proposal**

1. The application is for a proposed residential development of 13 dwellings on site of a former club premises (demolished). It is a resubmission of withdrawn application 11/00358/FULMAJ.
2. The scheme would be phased, the first phase is the erection of the houses, however the application also proposes a single-storey element to the rear of each property and a single garage (referred to as phases 2 and 3 on the plans). These elements will not be built initially but if this application were permitted they would benefit from planning permission so residents could built/erect these at a later date. The application has therefore been assessed as a whole.
3. The proposal also includes solar panels on the properties.

### **Recommendation**

4. It is recommended that this application is granted planning approval subject to conditions.

### **Main Issues**

5. The main issues for consideration in respect of this planning application are:
  - Background information
  - Principle of the development
  - Density
  - Levels
  - Design and Layout
  - Impact on the neighbours
  - Impact on a Listed Building
  - Trees and Landscape
  - Ecology
  - Flood Risk
  - Traffic and Transport
  - Drainage and Sewers
  - Sustainability

### **Representations**

6. No neighbour representations have been received.

### **Consultations**

7. **Chorley Planning Policy**  
This is a proposal for the re-development of a site that is predominantly brownfield, but which also includes a disused bowling green.
8. The proposal is located in a sustainable location in Chorley Town. As the proposal involves the redevelopment of a bowling green it should be assessed against Policy LT14 in the Chorley Local Plan. This aims to protect land last used as a bowling green for its recreation and amenity value. Development that involves the loss of a bowling green can be permitted if it meets any of the criteria outlined in Policy LT14.

9. The applicants state that the redevelopment of the bowling green would be compliant with Policy LT14 criterion i). They have assessed bowling green provision in Chorley Town and have identified a significant number of bowling greens within the town. The eastern part of Chorley Town in particular has a high concentration of bowling greens, and there are other greens within walking distance of this site, including a public green on the nearby Tatton Recreation Ground and private club greens, which the applicant indicates are undersubscribed and for which membership is open. The team that previously used the Sacred Heart bowling green now play on one of the other local greens.
10. In terms of bowling greens the draft Central Lancashire Open Space, Sport & Recreation review does not indicate any shortage of bowling greens in Central Lancashire and states that the quality of existing provision is good. There is no specific standard for the provision of bowling greens.
11. This proposal will involve the loss of an existing private club green which is no longer in use. There is not a current need for this green and the information supplied by the applicants indicates that any future need is likely to be able to be satisfied on other local greens, which are undersubscribed. Therefore, there would appear to be sufficient facilities for bowling in the east Chorley town catchment area. Therefore, they are satisfied that the information submitted is sufficient to meet the requirements for Policy LT14 i) and have no policy objections in principle to this resubmitted proposal.
12. **Chorley's Parks and Open Spaces Manager**  
The ward is well served by both Tatton and Harpers Recreation ground.
13. **The Environment Agency**  
We have no further comments to add to our consultation response dated 17 May. This was no objection in principle to the proposed development subject to the inclusion of conditions which they suggest.
14. **Chorley's Conservation Officer**  
See body of the report.
15. **United Utilities**  
Have no objection to the proposed development.
16. In accordance with PPS25 surface water should not be allowed to discharge to foul/combined sewer. This prevents foul flooding and pollution of the environment. This site must be drained on a separate system, with only foul drainage connected into the foul sewer. Surface water should discharge to the soakaway/watercourse/surface water sewer and may require the consent of the Environment Agency. If surface water is allowed to be discharged to the public surface water sewerage system we may require the flow to be attenuated to a maximum discharge rate determined by United Utilities.
17. **Lancashire County Council (Highways)**  
The application is a resubmission of previous application no: 11/00358/FULMAJ for 14 dwellings that was recommended for refusal on the grounds of highway for reasons of concern for level of car parking provision at the site and traffic safety. The application was subsequently withdrawn by the applicant.
18. Based on the revised formation provided it is clear the Application and plan drawing have been suitably amended to incorporate the previous highway and traffic safety recommendations.
19. In terms of car parking provision the applicant has proposed 2 car parking spaces per dwelling in accord with the RSS car parking standard for 3 bed roomed dwellings. The hard standing areas/driveways are also generally suitably sized in width and length to accommodate the 2 spaces.
20. They are therefore reasonably satisfied the required improvements have been met by the applicant as discussed as part of the previously withdrawn application, and as such they would now no longer have any overriding objection to the proposed development in principle subject to conditions.
21. **Chorley's Waste & Contaminated Land Officer**  
Has no objection subject to a condition in relation to land contamination.

## **Assessment**

### Background

22. The application is a resubmission of previous application 11/00358FUL. This originally proposed 14 dwellings but was reduced to 12 during the course of the application before being withdrawn. The current application is for 13 dwellings.

23. The site is on two levels separated by a retaining wall.

#### Principle of the development

24. The site is within the settlement of Chorley. It was formerly Sacred Heart Social Club, which was demolished approximately 18 months ago and the site has since stood empty. The majority of the site is allocated as settlement under policy GN1 of the Local Plan where there is a presumption in favour of appropriate development subject to other policies of the plan being met. However, there was previously a bowling green in the northwest corner of the site which is covered by policy LT14 of the Local Plan. This seeks to protect bowling greens from redevelopment unless certain criteria are met.

25. The applicant has put forward a case that the redevelopment of the bowling green would be compliant with Policy LT14 criterion i) – that it can be demonstrated that the retention of the site is not required to satisfy a current or future recreational need and there is a clear excess of this type of facility for the catchment and the site has no special significance in the interest of sport. They have assessed the bowling green provision in Chorley Town and have identified a significant number of bowling greens. The eastern part of Chorley Town in particular has a high concentration of bowling greens, and there are other greens within walking distance of this site, including a public green on the nearby Tatton Recreation Ground and private club greens, which the applicant indicates are undersubscribed and for which membership is open. The team that previously used the Sacred Heart bowling green now play on one of the other local greens.

26. The Council's Planning Policy team advise that the draft Central Lancashire Open Space, Sport & Recreation review does not indicate any shortage of bowling greens in Central Lancashire and states that the quality of existing provision is good. There is no specific standard for the provision of bowling greens. This proposal will involve the loss of an existing private club green which is no longer in use. There is not a current need for this green and the information supplied by the applicants indicates that any future need is likely to be able to be satisfied on other local greens, which are undersubscribed. Therefore, there would appear to be sufficient facilities for bowling in the east Chorley town catchment area.

27. On this basis it is considered that criterion i) of Policy LT14 has been met. The rest of the site is allocated under policy GN1 where there is presumption in favour of appropriate development. The proposal is therefore considered acceptable in principle.

#### Density

28. The site is 1.18 hectares in size and 13 dwellings are proposed which is a density of just over 11 dwellings per hectare. Although this seems low, the site is restricted by the split level of the site that require the Council's normal interface distances to be increased, in addition to be in keeping with the area the layout needs to face on to both Worthy Street and Buchanan Street. The density is therefore considered acceptable for this site.

#### Levels

29. The site is in two distinct parts at different levels separated by a retaining wall. Each area is relatively flat but is separated by over 2m in height. The part of the site facing Worthy Street where the old social club building was is the higher but smaller part of the site.

30. The proposal will keep the existing retaining wall but it will be lowered and the ground either side graduated in the gardens of the properties, though they will still have a higher and lower part to their gardens separated by a few steps. The garages of the proposed properties facing on to Worthy Street will have their floor level built up to be lower than the properties themselves but higher than the properties that will face Buchanan Street.

#### Design and Layout

31. The surrounding area is mainly made up of terraced properties, although there are more modern properties including semi-detached houses and a bungalow on Worthy Street.

32. The application proposal is for 13 two-storey houses. Four pairs of semi-detached properties will face Buchanan Street and four link-detached properties, in two pairs (each pair linked by a central covered walkway) and one detached property will face Worthy Street. The properties will be set back from the pavement by approximately 2m with a small front garden surrounded by railings. This proximity to the pavement would reflect those of the surrounding properties.

33. The site layout reflects that surrounding it, continuing the existing street pattern. The design of the properties is also considered acceptable with the dwellings having vertical proportions

34. The applicant advises that the houses have been designed so that they can 'grow' with the occupiers. The plans show single storey rear extensions on each of the properties and garages. As these are shown on the plans planning permission would be granted for them, however these will not be constructed with the properties and future owners will then have the choice of adding these in the future if they wish.
35. Overall the plans are considered in keeping with the area in terms of layout and design and therefore comply with Policy HS4.

#### Impact on the neighbours

36. The proposed properties on plots 1-3 will face towards Tatton Recreation Ground and Rosklyn Road. Plot 4 will face down Rosklyn Road and plot 5 will face the existing terraced property number 61 Worthy Street. There will be approximately 12m between the first floor facing windows of these properties. This is below the Council's interface distance of 21m, however it is considered that setting the proposed properties back further would be out of character with the immediate vicinity as it is common to find facing properties close to the road in the area with a similar distance between them. An example of this is the existing facing terraced properties on Buchanan Street which have 11.6m between them. In addition one of the two front windows serves a bathroom. In this case it is considered more important to reflect the traditional spacing of the properties in the immediate vicinity of the site than to apply the interface guidelines and for this reason the relationship of the properties is considered acceptable. Number 61 Worthy Street has not objected to the application.
37. The majority of the proposed properties facing Buchanan Street (plots 5-12) will face towards a brick single storey industrial type building that has no windows in its east elevation. Plot 6 will face a garage and plot 5 will face towards Duxbury House a three storey building of flats and a small communal grassed area that belongs to it. The grassed area is surrounded by open railings so there are already open views in to this area from the street. Duxbury House itself has a nearly blank west gable apart from a single high level window in the second floor. There will be approximately 13m between this window and the house on plot 5, but they will be at different levels, the existing window being higher and the two buildings will only just overlap in terms of direct line of sight, the majority of plot 5 will look onto the grassed area. This relationship is considered acceptable with regards to policy HS4 of the Local Plan.

#### Impact on a Listed Building

38. Sacred Heart Church is a Grade II listed building. The Conservation Officer has been consulted on the application. He had concerns regarding the previously withdrawn application but considers the current proposal has addressed these as the layout has been amended and the number of dwellings has been reduced from 14 to 13 from that originally proposed.
39. In his opinion the proposed layout is a much better fit for the site and makes an appropriate response to the context. The design of the buildings also takes its cue from the immediate vicinity, albeit that terraced houses may have been even more appropriate for Worthy Street, the appearance and close proximity of the detached houses is such that they will appear virtually as a terraced formation, such that it represents an appropriate response to the context. He therefore considers the application to be acceptable.
40. The proposal is therefore considered to be in line with PPS5.

#### Trees and Landscape

41. There are no existing trees on the site.

#### Ecology

42. The former building on the site has been demolished already, there are no trees on the site and the ground surface is largely rubble, it is not therefore considered the proposal will have a detrimental impact on ecology.

#### Flood Risk

43. The site is not in Flood Zone 2 or 3 as identified by the Environment Agency. The Environment Agency has not objected to the application subject to conditions being proposed. They state that surface water run off from the site should be restricted to existing rates in order that the proposed development does not contribute to an increased risk of flooding and this can be controlled by a condition requiring a scheme for the provision and implementation of a surface water regulation system to be submitted and approved by the Council.

#### Traffic and Transport

44. LCC Highways state they recommended refusal of the previous application [as originally submitted] on

highway grounds including traffic safety and parking provision. They now state the current proposal incorporates their previous highway and traffic safety recommendations and two car parking spaces are proposed per dwelling which is in line with the standards for three bedroomed dwellings. The hard standing areas/driveways are also generally suitably sized in width and length to accommodate the 2 spaces.

45. The application is therefore considered acceptable in highways terms in line with policies HS4 and TR4. The notes recommended by LCC Highways are proposed.

#### Drainage and Sewers

46. United Utilities and the Environment Agency have no objections to the proposal subject to conditions relating to details of the proposed foul and surface water schemes being agreed.

#### Sustainability

47. The scheme is required to meet policy SR1 of the Council's adopted Development Plan Document on Sustainable Resources. Solar panels are proposed on the properties. The applicant has indicated that this can be achieved at the site and therefore can be made the subject of a condition.

#### **Overall Conclusion**

48. The application is considered acceptable and is recommended for approval subject to conditions.

#### **Other Matters**

##### Permitted Development Rights

49. As the properties will be permitted with single storey rear extensions (although they will not be constructed at the time of building the houses and future owners will have the choice of adding these), these will form part of the 'original' property in relation to permitted development rights. If the single storey elements were constructed in the future then owners would still be able to build a further extension off this without the need for planning permission, which could have an unacceptable impact on the amenities of the neighbouring properties if they have not constructed their single storey element. It is therefore considered necessary to protect the future amenities of the properties by removing permitted development rights Class A, to ensure the Council has control over further extensions other than the ones permitted by this application.

#### **Planning Policies**

##### National Planning Policies:

PPS3, PPS5, PPS25

##### Adopted Chorley Borough Local Plan Review

Policies: GN1, HS4, EP18, TR4

##### 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**

**11/00358/FULMAJ** Proposed residential development of 12 dwellings [14 when application originally submitted] including access and landscaping on site of former club premises (demolished). Application withdrawn.

#### **Recommendation: Permit Full Planning Permission Conditions**

1. **No development approved by this permission shall be commenced until a scheme for the disposal of foul and surface waters has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall then be constructed and completed in accordance with the approved plans.**

***Reason: To ensure a satisfactory means of drainage and in accordance with PPS 25 and Policy EP18 of the Adopted Chorley Borough Local Plan Review.***

2. **No development approved by this permission shall be commenced until a scheme for the provision and implementation, of a surface water regulation system has been approved by the Local Planning Authority. The scheme shall then be completed in accordance with the approved plans.**

***Reason: To reduce the increased risk of flooding and in accordance with PPS25.***

3. Due to size 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 preliminary risk assessment and if 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 Local Planning Authority and thereafter undertaken and shall include details of the 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: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use, in accordance with PPS23.*

4. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences/walls/gates/railings to be erected to the site boundaries and within the site (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 before these have been erected in accordance with the approved details. They shall thereafter be retained in accordance with the approved details at all times.

*Reason: To ensure a visually satisfactory form of development, to protect the amenities of occupiers of adjacent properties and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.*

5. Before the dwellings hereby permitted is first occupied, the driveways/car parking 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. TR4 of the Adopted Chorley Borough Local Plan Review.*

6. 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 and HS4 of the Adopted Chorley Borough Local Plan Review.*

7. The development (or any phase or sub-phase) hereby permitted shall not begin until details of a 'Design Stage' assessment have been submitted to and approved in writing by the Local Planning Authority to show how the development will meet the Code for Sustainable Homes (Level 3 for all dwellings commenced from 1<sup>st</sup> January 2010, Level 4 for all dwellings commenced from 1<sup>st</sup> January 2013 and Level 6 for all dwellings commenced from 1<sup>st</sup> January 2016). The development shall be carried out entirely in accordance with the approved assessment and certification.

*Reason: To ensure the development is 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.*

8. No dwelling shall be occupied until a letter of assurance, detailing how the dwelling in question will meet the necessary code level, has been issued, to the Local Planning Authority, by an approved code assessor. The development thereafter shall be completed in accordance with the approved measures for achieving the required code level. Within 6 months of completion of that dwelling a Final Code Certificate shall be submitted to and approved in writing by the Local Planning Authority.

*Reason: To ensure the development is 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.*

9. The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plan(s) ref: 1004.P.03 D and associated site sections 1004.P.103 AB or as may otherwise be agreed in writing with the Local Planning Authority.  
*Reason: To protect the appearance of the locality and 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.*
10. 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.*
11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (Schedule 2, Part 1, Class A) or any Order revoking or re-enacting the Order, no extensions shall be undertaken to any dwelling hereby permitted unless specifically authorised by this permission.  
*Reason: The permission allows a phased approach to the scheme and approves optional single storey extensions to the rear of the properties. These will form part of the original dwelling for Permitted Development purposes. To erect further extension off these under Permitted Development Rights may have an unacceptable impact on the amenities of neighbouring properties and may have a detrimental impact on the appearance of the properties and the locality and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.*
12. The development hereby permitted shall not commence until full details of the colour, form and texture of all hard ground- surfacing materials (notwithstanding any such detail shown on 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 in conformity with the approved details.  
*Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.*