

Item 4g **12/00719/FUL**

Case Officer **Caron Taylor**

Ward **Chorley South West**

Proposal **Substitution of 2 no. houses (plots 52 and 53 adjacent to Oakwood Road) approved under planning permission 11/00420/REMMAJ with 3 no. houses.**

Location **Park Mills Deighton Road Chorley Lancashire**

Applicant **Mr John Roocroft**

Consultation expiry: **27 August 2012**

Application expiry: **11 September 2012**

Proposal

1. Substitution of 2 no. houses (plots 52 and 53 adjacent to Oakwood Road) approved under planning permission 11/00420/REMMAJ with 3 no. houses.
2. The application is on the former Park Mills site that has previously had permission for housing.

Recommendation

3. It is recommended that this application is granted planning approval.

Main Issues

4. The main issues for consideration in respect of this planning application are:
 - Background information
 - Principle of the development
 - Density
 - Levels
 - Impact on the neighbours
 - Design
 - Trees and Landscape
 - Traffic and Transport
 - Contamination and Coal Mines
 - Drainage and Sewers

Representations

5. One letter of objection have been received from 18 Oakwood Road on the following grounds:
 - The proposal would cause overlooking and a loss of privacy to their garden, patio door area/dining room, conservatory and bedroom window;
 - The new housing has resulted in loss of afternoon sun already and if this proposal is permitted it would restrict use and enjoyment of the remaining space and the entire garden area would be affected, above what they see as acceptable;
 - An increase in the number of houses at the closest point to an already hazardous junction would increase dangers and chances of an accident;
 - There is no allowance for the owners having more than one car, large vehicles or visitors. There is already limited parking in this area. Access to the southern end of Oakwood Road has been affected and restricted recently due to the increased numbers of vehicles.

Consultations

6. **Lancashire County Council (Highways)**

The application is for substitution of 2 no houses with 3 no houses.

7. Each house plot will still support two car parking spaces, and the proposed vehicle crossings are effectively now also removed from Oakwood Rd, which is adopted highway, onto the development site. As such there is no highway objection.

Assessment

Background Information

8. Outline planning permission (ref: 09/00665/OUTMAJ) was granted for this site in November 2009 with Jones Homes submitting a reserved matters application on the site which received planning permission in August 2011 (ref: 11/00420/REMMAJ). The permission granted 63 two-storey dwellings (including 7 affordable units) and associated infrastructure on the site.
9. Construction has started on the site. The current application is to amend the layout adjacent to number 16 Oakwood Road, so that where two houses were originally approved on plots 52 and 53 there will be three houses.

Principle of the development

10. The principle of housing on the site has already been established by the earlier permissions on the site. The issue is therefore whether changing the layout in this part of the site to allow an additional house to be constructed is acceptable or not.

Density

11. The site area is approximately 1.4 hectares and the development as originally permitted had a density equivalent to 45 dwellings per hectare. With an additional dwelling it would equate to 45.7 dwellings per hectare. The density of the site was considered in keeping with the surrounding area, which is made up of a variety of properties and includes terraced properties, notably on Letchworth Drive, Ventnor Road and Walleys Road when previously approved. It is not considered that the addition of one additional dwelling changes this.

Levels

12. The two properties originally approved on the site had finished floor levels of 89.75. The proposed properties would have finished floor levels of 89.550 (plot 52) and 89.350 (plots 52a and 53). Therefore the levels proposed are lower than previously approved which is considered acceptable in relation to the surrounding properties.

Impact on the neighbours

13. The previously approved layout on plots 52 and 53 had two detached properties facing Oakwood Road. The amended layout has a single detached property facing Oakwood Road and two semi-detached properties facing south into the site.
14. The proposed property on Plot 52 will have its main windows facing east towards the site of an electricity substation so will not look towards other properties. In its north elevation looking towards the front garden of number 16 Oakwood Road will be a first floor window, but this will be a bathroom and can therefore be conditioned to be obscure glazed. There will be a 1.8m close boarded fence and wall at ground floor on the north boundary of the plot preventing views from the ground floor windows. The proposed property will have a first floor bedroom window and two small ground floor living room windows in its south elevation. There will be 19m between these windows and the property opposite on plot 45, which is considered an acceptable relationship as it reflects the interface between the other facing properties on this stretch of road.
15. It is not considered the proposal will have an unacceptable relationship with number 18 Oakwood Road. Although this property has a ground and first floor window in its northwest elevation and a rear conservatory, there is a wall preventing views between ground floor windows. The first floor windows in the south and east elevation of the property proposed on plot 52 will be at an oblique angle to number 18 and is therefore considered an acceptable relationship.

Design

16. The proposed properties reflect the design of the properties approved on the rest of the former Park Mills site; two storey with bay windows and front gables. There are a range of properties in the area including the properties on Oakwood Road built in the 1990s and the older properties in the wider area. The design of the three proposed properties is therefore considered acceptable.

Trees and Landscape

17. There is protected tree on the site, a Hawthorn covered by Tree Preservation Order 7 (Chorley) 2009 adjacent number 16 Oakwood Road. It is considered that the change to the proposals will have less impact on this tree, as the property on plot 52 will be further away than the previously approved scheme. The changes are therefore considered acceptable in this respect.

Traffic and Transport

18. The three dwellings proposed will have either two or three bedrooms and will all benefit from two off road parking spaces, accessed off the internal estate road that will be known as (an extension to) Deighton Road. This is in line with the Council's parking standards for dwellings of this size.

Contamination and Coal Mines

19. Contamination has already been address through the existing permissions at the site and conditions relating to this discharged.

Section 106 Agreement

20. There is no requirement for a section 106 agreement as the provisions of the earlier agreement relating to the previous permissions e.g. affordable housing will still be met as those permissions have been implemented.

Overall Conclusion

21. The application is recommended for approval subject to conditions.

Planning Policies

National Planning Policies:

National Planning Policy Framework

Adopted Chorley Borough Local Plan Review

Policies: GN5, HS4, TR4

Joint Core Strategy

Policies 17 and 27

Planning History

09/00665/OUTMAJ Outline application for residential development (specifying access). Permitted November 2009

11/00420/REMAJ Reserved Matters application for no. 63 two-storey dwellings (including 7 affordable units) and associated infrastructure (related to outline permission ref: 09/00665/OUTMAJ). Permitted August 2011

Recommendation: Permit Full Planning Permission Conditions

- 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.

2. Notwithstanding Schedule 2 Part 1 Classes A, B, C and E of the Town and Country Planning (General Permitted Development) Order 1995 or any subsequent re-enactment thereof, no extensions or alterations to the dwelling, outbuildings (including sheds, garages, and greenhouses), or any other works permitted by the aforementioned classes shall be constructed or erected at the dwelling on plot 45 without express planning permission first being obtained unless shown on the approved plans.
Reason: To avoid a loss of amenity to number 18 Oakwood Close and in accordance with policy HS4 of the Chorley Borough Local Plan Review 2003.
3. Notwithstanding Schedule 2 Part 1 Classes A and B of the Town and Country Planning (General Permitted Development) Order 1995, or any subsequent re-enactment thereof, no alterations or extensions shall be carried out at first floor level or above without express planning permission first being obtained on plots 1, 9, 13, 28, 42, 61 and 62.
Reason: To avoid loss of privacy to adjoining properties in accordance with policy HS4 of the Chorley Borough Local Plan Review 2003.
4. 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 (if the development is commenced before 2013) or Level 4 (if the development is commenced in 2013). 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.
5. The proposed development must be begun not later than three years from the date of this permission.
Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
6. The development hereby permitted shall only be carried out in conformity with the proposed ground and finished floor levels shown on approved plan (AL-001-Sub Rev A).
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.
7. The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing ref:	Title:	Date:
AL-001-Loc Plan	Site Location Plan	17 July 2012
AL-001-Sub Rev A	Proposed Site Layout (showing floor levels)	1 August 2012
AL-001-Sub	Proposed Site Layout Plan	17 July 2012
10-011 HT10 B	Plot 52 – Langley 3 Proposed floor plans & elevations	17 July 2012
10-011 HT05	Plots 52A & 53 – The Marton Proposed floor plans & elevations	17 July 2012

Reason: For the avoidance of doubt and in the interests of proper planning.
6. During the construction period, the protected tree (marked G4 within plot 52 on drawing number AL-001-Sub) shall be protected by 1.2 metre high fencing as specified in paragraph 8.2.2 of British Standard BS5837:2005 at a distance from the tree trunk equivalent to the outermost limit of the branch spread, or at a distance from the tree trunk equal to half the height of the tree (whichever is further from the tree trunk), or as

may be first agreed in writing with the Local Planning Authority. No construction materials, spoil, rubbish, vehicles or equipment shall be stored or tipped within the area(s) so fenced. All excavations within the area so fenced shall be carried out by hand.

Reason: To safeguard the trees to be retained and in accordance with Policy Nos. EP9 of the Adopted Chorley Borough Local Plan Review.