

Item 4d **12/01011/FUL**

Case Officer **Hannah Roper**

Ward **Eccleston and Mawdesley**

Proposal **Demolition of existing garages on the site and new build 4 houses inclusive of car parking and associated landscaping. Also, provision of 4 car parking spaces for public use**

Location **Garage site 20m north east of 71 Hurst Green, Mawdesley**

Applicant **Adactus Housing Association Limited**

Consultation expiry: **17 December 2012**

Application expiry: **19 December 2012**

Proposal

1. The application relates to a site on Hurst Green, Mawdesley located 20m north east of number 71. The site is currently occupied by a block of council owned garages and a row of car parking spaces which are utilised by the surrounding properties.
2. It is proposed that the existing garages are demolished and that four dwellings are constructed. The dwellings will be 100% affordable units, will be two storey and will be two bedroomed.
3. Each property will have two dedicated car parking spaces and an area of private garden space to the rear/side. The properties will be terraced and a gated alleyway to the rear of the properties will provide access for bin movement. Bin stores will be provided along this access route for storage to ensure that they do not encroach onto the highway.
4. The site extends to the east around the bend in Hurst Green. This area is grassed and already has a small turning head that is used for parking at one end. It is proposed to provide four public car parking spaces for public use to offset those lost on the garage site.

Recommendation

5. It is recommended that this application is granted conditional planning approval.

Main Issues

6. The main issues for consideration in respect of this planning application are:
 - Principle of the development
 - Housing Development
 - Impact on the neighbours
 - Design
 - Trees and Landscape
 - Ecology
 - Traffic and Transport
 - Drainage and Sewers

Representations

7. One letter of objection have been received raising the following issues:
 - The proposed four parking space will not be sufficient to replace the eight plus garages that are to be lost and will result in increased on road parking
 - The proposals will result in a threat to pedestrians and children
 - Emergency services will struggle to access the road which will be worsened due to on road parking
 - A second letter states that whilst there is no objection in principle to the proposal there are concerns regarding the impact on the flora and fauna due to the proposal. The concerns are as follows:
 - A number of bird, butterfly, mammal and bat species have been listed as being noted in the tree belt to the rear that will impacted.
 - There will be an impact on nesting birds
 - Light pollution to the hedge and the impact on species
 - The visual impact of the removal of trees on the respondent has also been raised and the block of flats would dominate the view.
 - The loss of trees would have an detrimental on noise to the property
 - The Parish Council have made the following objection to the proposal:
 - There is a constant need for emergency services due to the age of residents of the sheltered housing along Hurst green to access the site with the frontage of the garages used for vehicles to turn round
 - Parking issues in the area with a number of carers visiting the area. The parking survey is inadequate as it does not take this into consideration.
 - The ecological value of the area has been dismissed there are many mature trees that will be adversely effected by this development.

Consultations

8. **Lancashire County Council (Ecology)** – no objection subject to appropriate conditions.
9. **Director People and Places** – no objection.
10. **United Utilities** – no response to date.
11. **Lancashire County Council (Highways)** – no objection to the proposal.
12. **Chorley's Waste & Contaminated Land Officer** – no objection subject to appropriate condition.
13. **Chorley's Affordable Housing Manager** has provided information in support of the application as follows:
 - To secure the funding for the affordable dwellings work must commence no later than March 2013.
 - The delivery of the new homes is required to help the Council deliver on its affordable housing target which is currently 50 affordable homes rising to 100 affordable from next financial year 2013/14.
 - On completion the properties will be advertised and let through the Select Move choice based lettings system. Prospective tenants will need to have a local connection to each of the rural areas in respect of Charnock Richard and Mawdesley and to Chorley in respect of the two Euxton sites.
 - In terms of current occupancy of the garages Liberata have reported that only 20% of the garages are occupied

Assessment

Principle of the development

14. The site is located within the settlement boundary of Mawdesley. This is covered by part f) of the Adopted Central Lancashire Core Strategy which states that development should be small scale, limited to appropriate infilling and proposals to meet local need.
15. The site is small in nature and will utilise a brownfield site that is currently occupied by garages that have fallen into disrepair. Furthermore, the proposals will provide four affordable units that in an area where there is an identified need. Prospective tenants will be required to have a link with Mawdesley in order to qualify for consideration for tenancy.
16. It is therefore considered that the proposal is in accordance with Core Strategy Policy 1 and as such it is considered that the principle of the development is accepted.

Impact on the neighbours

17. The site is located on a bend on Hurst Green. The northern part of the site is a grassed area with a tree belt bounding the site. Beyond this tree belt are a number of car parks associated with a school and club in this area. To the east of the site are the garages and hard standing. Beyond these are a number of trees and residential properties. These properties are two storey flats.
18. The properties to the rear of the proposed dwellings are situated a minimum of 21.5m away and the two sets of properties are off set so there will be no issues of overlooking. The rear gardens of the proposed dwellings are over 10m and therefore the proposal complies with the Councils required interface distances. No side facing windows are proposed in the dwellings. To the south, the properties are located over 14m away at the nearest point and as such this dimension also complies with the required 12m from habitable room windows to the blank gable end of the property.
19. Properties on the opposite side of Hurst Green are offset from the proposed dwellings; however the separation distance are over 21m as required by the Council's interface standards. It is therefore considered that there will be no loss of amenity or overbearing impact on the neighbouring properties as a result of the proposal.

Design

20. The area is characterised by bungalows and two storey terraced properties. These are simple in style. The proposed properties are terraced in nature and two storey with small covered porch areas. It is considered that the proposed dwellings will not be incongruous in the street scene and will provide an enhancement to the streetscene compared to the existing garages that are falling into disrepair.
21. The applicant is proposing railings set on a low brick wall to the front of the property in terms of boundary treatment. It is considered that this is appropriate and will add interest and enhance the street scene, albeit further details of the railings will need to be conditioned. To the rear close boarded fencing is proposed. Again, this is considered to be acceptable.

Trees and Landscape

22. There are a number of trees on and around the area of the proposed dwellings, in particular along the boundary to the car parks to the rear, within the northern corner of the site and a number of isolated trees on the frontage. The applicant has submitted a Tree Survey in support of the application and this has been considered by the Council's Arboriculture Officer.

23. The proposed development will result in the loss of a number of these trees. The Councils Arboriculturist has viewed the trees in the area and whilst he has suggested trees that should be retained where possible, he is not proposing that any are worthy of a Tree Preservation Order.
24. It is not considered that the loss of these trees should outweigh the need for the affordable housing that is proposed and the applicant has worked with the Council to find a solution to the loss of the trees. The properties have been slightly repositioned to allow for the retention of the trees in the northeast corner of the site. These will now be located in between the boundaries of the proposed properties and the properties at 20-22 Hurst Green. The applicant has considered various root protection measures to protect the existing trees but no solution has been found that will result in the guaranteed retention of these trees. Therefore, to offset the loss the applicant has committed to providing 4 new trees of moderate standard on the site and has shown the location of these trees on the most recent site plan. The exact details of which will be secured through condition. It is considered that the provision of these trees is a suitable mitigation in terms of trees.

Ecology

25. LCC Ecology have viewed the plans and the specific objection relating to Ecological issues. They have accepted that a number of the trees will need to be lost as a result of the development. They have not raised any objection to the proposal subject to a condition restricting the removal of vegetation outside hibernation and nesting periods, that fencing is not flush with the ground in order to allow connectivity and that the mitigation measures within the Ecological Report are implemented. They have also requested that some boundary treatments are hedgerows, however the nature of the proposals as affordable housing, the budget constraints of the scheme and the maintenance considerations of the scheme, this is not achievable.

Traffic and Transport

26. The applicant is proposing that each property has two car parking spaces in accordance with RS car parking standards. The middle two properties will have these positioned to the front and the two end properties to the sides of the dwellings. The proposed development will therefore cater for itself in terms of parking and will not impact on the existing situation. In terms of the loss of the garages, only two of these are currently let and therefore the additional car parking requirement will be small.
27. There have been a number of objections raised by local residents in relation to the loss of the car parking spaces. Initially the applicant was proposing to provide four spaces for public use on the site towards the west. LCC's Highway Engineer initially raised some concerns regarding this number and the applicant has now increased this to 6 spaces. Having undertaken a thorough assessment of the proposals and the local area, LCC Highways now have no objection to the proposal.

Public Right of Way

28. There is an existing footpath across the site to the car parks to the north of the site. It is proposed that this will be maintained in its existing position and that the standard will be improved through its re-paving and the addition of tactile paving added where it meets Hurst Green in order to assist those walking through the area to cross the road.
29. An existing right of way to the rear of numbers 30 – 36 Hurst Green and its associated boundary treatment will be maintained in its existing form.

Drainage and Sewers

30. United Utilities have been consulted on the application; however no response has been received to date. Their response will be reported on the Addendum Report.

Section 106 Agreement

31. A public open space contribution has been requested from the applicant. The applicant has submitted a viability statement that seeks to demonstrate that a POS contribution would make the scheme unviable. It is considered that the provision of much needed affordable housing in this location is a significant material consideration that in this instance outweighs the need for the POS requirement.

32. Liberata have been consulted on the viability statement and their response will be reported on the Addendum Report.

Overall Conclusion

33. That the proposed development should be granted conditional planning approval.

Other Matters

Sustainability

34. The applicant has committed to the achievement of Sustainable Homes Code Level 3. Policy 27 of the Adopted Core Strategy requires that all new properties achieve Code Level 3 and where economically viable Code Level 4. This minimum requirement increases to Code Level 4 from 2013. The applicant has provided a viability assessment that justifies that the achievement of Code Level 4 would make the scheme unviable. In this instance the provision of the affordable homes, which are in need in this area, is considered to outweigh the requirement for Code Level 4. A condition will be utilised to ensure that Code Level 3 is achieved.

Waste Collection and Storage

35. A gated access route will be provided to the rear of the three most southern properties to allow rubbish bins to manoeuvre easily from rear gardens to their kerbside collection point. Bin stores will be provided along the southern boundary of the development. The northern most property will have bin storage within the rear/side garden of the property. The Councils Waste Officer has raised no issues with regard to the proposed arrangement.

Planning Policies

National Planning Policy Framework

Paragraph 6: Delivering a wide choice of high quality homes

Paragraph 7: Design

Adopted Chorley Borough Local Plan Review

Policies: GN1, GN4 TR4

Supplementary Planning Guidance:

- Statement of Community Involvement
- Design Guide

Joint Core Strategy

Policy 1: Locating Growth

Policy 6: Housing Quality

Policy 7: Affordable Housing

Planning History

There is no relevant planning history on the site

Recommendation: Permit Full Planning Permission Conditions

1. This consent relates to the following plans:

Plan Ref:	Received On:	Title:
2543f 100	20th December 2012	Location Plan
2543f 105 G	20th December 2012	Site Plan
2543f 106	20th December 2012	Unit Plan
2543f 108	20th December 2012	Elevations
2543f 116	20th December 2012	Timber Shed Details
2543f 110	20 th December 2012	Street Elevations

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

2. 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 trees to be retained, together with measures for their protection in the course of development; indicate the type and location of the four replacement trees and any other 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.

The landscaping scheme shall also include details of the how the proposals set out in Paragraph 6.2.3 of the *'Extended Phase 1 Habitat Survey with Bat Scoping Survey and Code for Sustainable Homes: Ecology Assessment'* received by the Council on the 13 November 2012 will be incorporated into the scheme, including the choice of shrubs and the location and detail of bat and bird boxes.

The landscaping scheme, including any ecological measures, shall be carried out as approved.

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.

3. 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.

4. The development hereby permitted shall not commence until samples of all external facing materials to the proposed building(s) 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.

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 51 of the Planning and Compulsory Purchase Act 2004.

6. Due to the proposed 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. 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 Paragraph 121 of the National Planning Policy Framework..

7. Each dwelling hereby permitted shall be constructed to achieve a minimum of Code for Sustainable Homes Level 3.

Reason: To ensure that the development is in accordance with the principles of sustainable development.

8. There shall be no felling of trees, vegetation clearance works, demolition works or other works that may affect nesting birds between March and July (inclusive), unless the absence of nesting birds has been confirmed by further written surveys or inspections.

Reason: To ensure the protection of nesting birds during the construction period.

9. Notwithstanding any details already submitted, the development hereby permitted shall not commence until details of all boundary treatments have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved boundary treatments. Any solid boundary treatment approved shall not, when installed, run flush with the ground to allow for habitat connectivity.

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.