

Item 4e: 12/01064/FUL

Case Officer: Hannah Roper

Ward: Chisnall

Proposal: To demolish existing garages to construct 1 building to consist of 3 individual dwellings.

Location: Land and garages 20m south east of 32 Leeson Avenue, Charnock Richard Lancashire

Applicant: Adactus Housing Association Ltd

Consultation expiry: 13 December 2012

Application expiry: 2 January 2013

Proposal

1. The application relates to a site located 20m south east of 32 Leeson Avenue. The site is currently occupied by two blocks of Council owned garages at the end of the cul-de-sac at the end of Leeson Avenue. The garages have their rears facing towards Leeson Avenue and an informal area of parking has evolved along their rear.
2. It is proposed to demolish the garages and to construct a single building that consists of two, one bedroom flats and a two bedroomed dwelling. The properties will be 100% affordable.
3. Car parking is proposed to the front of the properties to serve the flats and to the northeast to serve the dwelling. Each property will have private amenity space and bin storage provided.

Recommendation

4. It is recommended that this application is granted full, conditional planning approval.

Main Issues

5. The main issues for consideration in respect of this planning application are:
 - Principle of the development
 - Impact on the neighbours
 - Design
 - Traffic and Transport
 - Contamination
 - Drainage and Sewers
 - S106
 - Waste Collection and Storage

Representations

6. 3 letters of objection have been received raising the following issues:
 - Security at the rear of properties that back onto the proposal
 - The area is already congested
 - The area already has limited views
 - Threat to safety of children using the area

- The area is already too built up

Consultations

7. **Director People and Places – no comments received**
8. **Ecology – no comments received**
9. **United Utilities – no comments received**
10. **Lancashire County Council (Highways) – no objection**
11. **Chorley’s Waste & Contaminated Land Officer – no objection subject to appropriate conditions**
12. **Affordable Housing Manager has provided comments in support of the application as follows:**
 - To secure the funding for the garages 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 Charnock Richard.
 - In terms of current occupancy of the garages Liberata have reported that only two garages are currently let (20%).

Assessment

Principle of the development

13. The development proposed is located on Leeson Avenue. The site is located at the end of a residential cul de sac and is currently occupied by 15 garages and hard standing. The site would therefore be classed as Brownfield land.
14. Policy 1, part f of the Adopted Central Lancashire Core Strategy states that development in smaller villages will typically be small scale, limited to appropriate infilling and proposals to meet local need. Policy GN4 of the Adopted Chorley Local Plan states that development in Charnock Richard that provides affordable housing to meet a recognised local need is acceptable provided that it is in accordance with Policy HS8. This policy relates to greenfield land and as such is not relevant. It is therefore concluded that the principle of the development is acceptable.

Impact on the neighbours

15. The site is located at the end of a cul-de-sac but has residential properties to the north, south and west that back onto the proposed development. To the south is the side elevation of number 51 Leeson Avenue.
16. The proposed building will consist of a single block comprising one terraced property and two flats. Due to the shape and location of the plot the building has been designed to be of an unusual shape to allow the required interface distances to be met with the properties to the rear.

17. Windows are proposed in the front elevation of the building at ground and first floor. These will overlook the side elevation of 51 Leeson Avenue and will meet the required 10m interface distance
18. To the east windows are proposed at ground floor and at first floor level. The boundary with the garden at 54 Lichen Avenue is situated 7m away, therefore whilst the ground floor windows are acceptable, side facing windows at first floor level will be conditioned to be obscure glazing and non-opening as they do not meet the councils required separation distance of 10m between a habitable room window and the boundary of the neighbouring private amenity space.
19. To the rear, there is again only 8m separation distance between the rear building line and the boundary with the neighbouring property. The applicant has amended the initial plans to remove any windows that may result in overlooking and a secondary kitchen window to the first floor flats will be obscure glazing. In terms of layout of the house, a rear facing bedroom window was proposed at first floor level. The architects have considered the layout of the property and found that amending this was not feasible. Therefore a solution has been found that this room will have velux roof windows and a high level rear facing window. The velux windows will be opening to allow ventilation. This ensures the amenity of future residents of this property but also ensures that there will be no overlooking of the garden of the properties to the rear.
20. The western elevation of the proposed property is set at an angle to the properties to the east. Windows are proposed in this elevation. A distance between 9.8m and 11m will be maintained to the boundary depending on the window that is considered. This is slightly less than the minimum distance of 10m required by the Councils separation distances; however the angle of the properties means that not one specific property's garden will be subject to overlooking due to the offset and as such it is considered that the proposal is acceptable.
21. Whilst this is a constrained site, the careful orientation of the building and the use of conditions that restrict the type of glazing and the opening of windows where there is an unacceptable separation distance ensures that the amenity of neighbouring residents will not be compromised.

Design

22. The area is characterised by simple terraced bungalows and terraced dwellings. The property, despite being constructed as two flats and one house will have the appearance of a row of terraced properties from the Leeson Avenue Frontage as each dwelling will have its own front door. Concrete cills and feature brickwork will be utilised to add interest and a small open porch area will add further interest. It is therefore considered that the proposal will add amenity value to the surrounding area, especially when the nature and disrepair of the existing garages on the site are taken into consideration.
23. The applicant has submitted details of the boundary treatments proposed which are 1.8m high close boarded fencing and gates and 0.9m high galvanised steel railings. Further details have been requested regarding the location of boundary treatments and the appearance of the railings. A boundary treatment condition will be used if required to secure further details.

Open Space

24. Each property will have its own private amenity space, including the first floor flat. The amenity space for both flats will be accessed through separate gates to the side of the

property and the area will be split to allow each resident private space. This is an unusual arrangement, however Adactus are happy with this arrangement and overall the proposal accords with the requirement to provide adequate open space with new dwellings.

Trees and Landscape

25. There is a small group of trees locate along the eastern boundary of the garages within the site. Having viewed the site and the trees it is clear that these are poor specimens, are constricted by the location in which they are growing directly adjacent to the garages and offer little to the streetscene due to their secluded location. There are a number of other street trees in the locality of the proposal which offer greater amenity value and as such the loss of these trees is not considered harmful.

Traffic and Transport

26. The applicant is proposing to provide 5 car parking spaces for the proposal. Two for the proposed house will be located to the east of the building one behind the other. Three further spaces will be provided to the front of the property. These spaces will provide one space per flat and an extra visitor's space. This is above the car parking requirements as set out in the RS which would require only four spaces for the proposal; however the additional space will help to offset the loss of the informal parking area that exists to the front of the existing garages. The Highways engineer has viewed the proposals and has raised no objection. As the road is in private ownership he has also not requested any conditions.

Ecology

27. The applicant has submitted a Phase 1 Habitat Survey. This has concluded that there is no impact on any protected species, in particular bats that may utilise the garages for roosting. The report recommends that any trees on site are removed outside bird breeding season. LCC Ecology have been consulted on the proposals however no comments have been received to date.

Public Right of Way

28. An existing access route from Leeson Avenue to Lichen Avenue is accessed to the eastern corner of the proposed development. This will be unaffected by the proposals and the addition of properties in this locality will increase safety for those using this path.

29. Existing access to the rears of the properties to the west will be maintained via a gated walkway.

Contamination and Coal Mines

30. The applicant has submitted a Phase 1 Desk Study. Chorley's contaminated and Waste officer has viewed he documents and is satisfied subject to the use of appropriate condition.

Drainage and Sewers

31. The applicant has submitted drainage details in support of their application. United Utilities have been consulted on the proposal, however no response has yet been received this will be reported on the Addendum Report.

Section 106 Agreement

32. On a scheme of this nature a contribution towards public open space of £4,137 would normally be payable. The applicant has submitted a viability statement justifying why in this instance, given the scheme is for affordable housing, that such a contribution would render the scheme unviable. On balance it is considered that in this instance the provision of much needed affordable accommodation would outweigh the need or the contribution.

33. Liberata have been consulted on the proposal and their response will be reported on the Addendum Report.

Overall Conclusion

34. That the application is approved subject to conditions.

Other Matters

Public Consultation

35. The applicant has undertaken a leaflet drop to residents in the surrounding area to ensure that they are aware of the proposals.

Sustainability

36. From January 2013, Policy 7 of the Adopted Joint Central Lancashire Core Strategy states that all new properties should be constructed to achieve Code 3 of the Code for Sustainable Homes. It is proposed that the buildings are constructed to achieve Code Level 3. A viability assessment has been submitted to demonstrate that the achievement of Code Level 4 would render the scheme unviable. It is considered that in this instance the provision of the affordable dwellings, which are designed to meet current building regulations, outweighs the requirement to achieve Code Level 4.

Waste Collection and Storage

37. Each property will have sufficient private amenity space in which to store their bins and a direct route to a suitable kerbside collection point. The Council's Waste Officer has viewed the proposal and is satisfied with what is proposed.

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

Policy 17: Design of New Buildings

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:
2583 100

Received On:
20 December 2012

Title:
Location Plan

2583 105 C	20 December 2012	Site Plan
2583 107 B	20 December 2012	Unit Plan
2583 108 B	20 December 2012	Elevations
2583 116	20 December 2012	Timber Shed Details

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 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.

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 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.

5. 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.

6. Notwithstanding any details already submitted, the development hereby permitted shall not commence until details of all boundary treatments, including the access gate to the rear properties, 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.

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. 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..

8. All windows labelled as obscure glazing on plan reference 2583 105 C: Site Plan, shall be obscure glazed and non-opening and shall be maintained as such in perpetuity.

Reason: To protect the amenity of neighbouring residents in accordance with Policy 17 of the Adopted Central Lancashire Core Strategy.

9. 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.