

Item 4f **12/01015/FULMAJ**

Case Officer **Hannah Roper**

Ward **Chorley North East**

Proposal **Proposed residential development for 14, two storey dwellings.**

Location **Former Initial Textile Services bounded by Botany Brow and Willow Road, Chorley**

Applicant **Elmwood Construction LLP**

Consultation expiry: 2 January 2013

Application expiry: 24 January 2013

Proposal

1. The application relates to the erection of 14, two storey dwellings on the site of the former Initial Textile Services site bounded by Botany Brow and Willow Road, Chorley, Lancashire.
2. This development would be the first stage in the development of a wider site and will form a ribbon development along the frontage of the site along Willow Road and a small area of the site backing onto the properties at Larch Avenue.
3. The properties fronting onto Willow Road will be predominantly semi-detached properties and with three terraced properties fronting Willow Road and the three properties backing onto Larch Avenue will also be terraced properties.
4. The proposal will use the main, existing access point along Willow Road and will make provision for a new access road, turning head and parking areas.

Recommendation

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

Main Issues

6. The main issues for consideration in respect of this planning application are:
 - Principle of the development and background information
 - Density
 - Impact on the neighbours
 - Design
 - Open Space
 - Traffic and Transport
 - Contamination and Coal Mines
 - Drainage and Sewers

Representations

7. No letters of objection have been received
8. No letters of support have been received

Consultations

9. **Director People and Places** – no objection

10. **United Utilities** – no comments received
11. **Lancashire County Council (Highways)** – no objection subject to the use of appropriate conditions
12. **Chorley's Waste & Contaminated Land Officer** – no objection subject to the use of appropriate conditions
13. **Lancashire County Council (Education)** – no objection subject to a request for contributions
14. Parks and Open Space – no objection subject to a request for contributions.

Applicants Case (if required)

15. The applicant has put forward a number of arguments in support of the application. These are outlined below:
 - This is a well-established company with a strong financial position and good track record in housing delivery
 - The scheme will deliver 14 family houses available to local people at competitive rents, in line with the Developer Management Policy
 - Elmwood are a Chorley based company who recruit staff locally. The scheme will deliver local employment if approved.
 - The development will make a positive impact on the local economy as Elmwood Construction holds accounts with many local businesses and where possible materials are sourced locally
 - The development will shield an unsightly, derelict building from view, providing better amenity for the residents on Willow Road
 - The scheme for 14 houses is better financially than the proposed 41 houses previously approved as there are no major infrastructure costs, less decontamination and no adverse ground conditions
 - A substantial amount of money will be invested in Chorley as a result of the development
 - The Council will benefit in terms of Council Tax and Central Government rebates for new homes
 - The development reuses a brownfield site and will assist in meeting the target of 70% housing on Greenfield sites.

Assessment

Principle of the development

16. In 2010 an application for 41 properties on this site and the extended site to the east was approved, subject to the signing of a Section 106 agreement. It is therefore considered that the principal of residential development on the site has been established and that the loss of the site for employment use has been accepted.
17. The allocation of the site, including the wider part to the east, has been carried forward into the publication version of the Chorley Local Plan which sees it identified for 41 dwellings to be brought forward in phase 1 (2012 – 2016).

Background Information

18. In 2010 an application (reference 10/00834/FULMAJ) for 50 dwellings on the extended site was submitted. This application was withdrawn.
19. A resubmission application (11/00871/FULMAJ) for 41 dwellings on the extended site was submitted in 2011. This application was approved, subject to the signing of the s106. The s106 made provisions for the delivery of 20% affordable housing, education and public open space contributions at the site.
20. To date the s106 associated with this application remains unsigned and the permission has still to be issued. Elmwood were keen to manage the affordable units themselves, however this does not fall within the Councils definition for affordable housing. The applicant also

considers that the request for education and open space contributions would render the development of the site unviable.

21. The current application seeks to develop the frontage of the site along Willow Road for 14 dwellings. This falls under the threshold for affordable housing requirements. The applicant is requesting that no other contributions be requested due to the viability of developing the site. This is discussed in further detail below.

Density

22. The site area is 0.38hectares. If 14 properties are proposed this would result in a density of 37 dwellings per hectare. Policy 5 of the Joint Central Lancashire Core Strategy states that densities of development that are in keeping with local areas should be sought. The property is located in an area characterised by a mixture of semi-detached and terraced properties and as such it is considered that the density of the development is in keeping with the local area.

Impact on the neighbours

23. The main impacts on neighbours fall to the properties on Larch Avenue, Willow Road and those at 143- 149 Harpers Lane.
24. The properties on Willow Road will front onto the proposed dwellings. A distance 20.4-21m will be maintained between facing habitable room windows of the proposed properties and those on the opposite side of Willow Road. The Council requires a distance of 21m to be maintained between habitable room windows. Whilst this distance falls slightly towards the Harpers Lane end of the proposal, the proposed dwellings will bring significant environmental and aesthetic benefits to these properties on Willow Road that currently overlook a derelict site. It is considered that in this instance that the slight reduction in separation distance is acceptable, especially given the separation across a road. It should also be noted that no residents of Willow Road have objected to the proposal.
25. On Larch Avenue, the rear of numbers 2 and 4 will face onto the terraced properties number 12, 13 and 14. A distance of 21m will be maintained between facing habitable room windows and a distance of 9.8m will be maintained between first floor habitable room windows and the boundary with the rear gardens of these properties. This is slightly reduced from the Councils required 10m standard, however again the benefits of environmentally improving the site need to be considered against the 0.2m shortfall in garden length. Again, no residents of Larch Avenue have objected to the proposals.
26. The proposed property at number 1 will be side on to the rear of the properties along Harpers Lane. The Councils required interface distance of 12m from the rear elevation to the side elevation of a property is achieved.
27. All side facing windows will be conditioned to be obscure glazing and non-opening to ensure the amenity of the existing surrounding properties.
28. In terms of the interface between the proposed dwellings and the undeveloped part of the site, the rear gardens of properties 1-9 are 9.6m, this falls short of the 10m required by the Councils interface distance. However, the land to the rear is in the applicants control and as such future development can assure that overall separation distances are acceptable. No details have been provided of how the land to the rear will be developed.

Design

29. The properties proposed are basic in nature, albeit some interest has been added to the frontage of all properties through the introduction of large windows and a basic canopy on the frontage of the semi-detached properties. The properties in the surrounding area vary in nature, albeit a large proportion of the properties are simple 1960s terraced properties, and there is not one specific style that can be emulated. It is considered that the proposed dwellings will be in keeping with the surrounding area.

30. The applicant has proposed grey slate tiles for the proposed rooves, red facing brick and white up windows. Notwithstanding this, materials samples will be conditioned should the application be approved.

Open Space

31. Local Plan Policy HS21 sets a standard of 0.45 hectares per 1,000 population. There is currently a deficit of provision in the Chorley North East ward in relation to this standard; a contribution towards new provision is therefore required from this development. The amount required is £85 per dwelling.
32. Local Plan Policy HS21 sets a standard of 0.25 hectares per 1,000 population. There is currently a deficit of provision in the Chorley North East ward in relation to this standard, a contribution towards new provision is therefore required from this development. The amount required is £426 per dwelling.
33. A Playing Pitch Strategy was published in June 2012 which identifies a Borough wide deficit of playing pitches but states that the majority of this deficit can be met by improving existing pitches. A financial contribution towards the improvement of existing playing pitches is therefore required from this development. The Playing Pitch Strategy includes an Action Plan which identifies sites that need improvements. The financial contribution required is £868 per dwelling.
34. The total financial contribution required from this development towards open space and playing pitches is therefore £19,306.
35. The applicant has requested that no contributions be sought on this application due to the impact on the viability of developing the site that this will have and the reasons set out within the Applicants Case above.

Traffic and Transport

36. The County Highways Engineer has viewed the plans and has requested a number of amendments to the scheme that have been made and he is now happy with what is proposed subject to a number of conditions.
37. Each property will have access to two dedicated car parking spaces, for properties 1-11 9 these will be in curtilage and a garage will be provided. For plots 10 and 11, parking spaces will be provided to the rear and for plots 12 – 14, car parking will be provided in a parking court directly adjacent to the properties and the site entrance. Properties 1-10 will also benefit from a single garage. Each garage will measure 6m by 3m which will provide an extra car parking space for each dwelling.

Contamination and Coal Mines

38. The Council's Waste and Contamination Officer has viewed the plans and has no objections subject to a detailed Site Investigation condition be applied to any approval.

Drainage and Sewers

39. United Utilities have not commented on this application, albeit they have commented on previous applications stating that they have no objection to the proposals subject to the site being drained on a separate system. Any response from United Utilities relating to the current application will be reported on the Addendum Report.

Affordable Housing

40. Policy 7 of the Core Strategy specifies that the minimum site size threshold for affordable housing is 15 dwellings (0.5 hectares or part thereof). This proposal is for 14 units and is on a section of the Initial Textile Services site that is approximately 0.38 hectares in size. However, this proposal is on part of a larger site, which is of a size where affordable housing should be provided. The proposal could therefore be deemed to be considered piecemeal development due to the allocation of the site (HS1.16) as a whole within the emerging Chorley Local Plan and that 30% affordable housing should be requested.

41. The applicant has provided further supporting information in relation the proposed development that seeks to justify the development of 14 dwellings initially on the site. The applicant states that due to the high incidental costs of the development on a site of this nature, the provision of affordable housing, which is now required at 30% rather than the 20% on the previous application, would render the site unviable to develop. They anticipate that the development of the initial 14 dwellings would stimulate the development of the rest of the site.
42. The applicant has also provided justification based on a number of other factors as to why the development should be permitted without the affordable housing which are outlined in the Applicants Case section above. Some details have also been provided as to the applicant's attempts to resell the site on the open market. It is considered that the development of this part of the site for 14 dwellings is viable as there are no major underlying barriers to this part due its previous use for car parking and the proximity of services.
43. It should be noted that should 14 dwellings be accepted on this site without the provision of 30% affordable housing in a bid to stimulate the development of the remainder of the site, it is considered that this would be classed as being a very special circumstance to stimulate the development and would not preclude further developing on the remainder of the site from the requirement for 30% affordable housing.

Section 106 Agreement

44. In a development of this nature, the following would normally be secured through the use of a s106 Agreement:
 - Public Open Space Contribution - £19,306
 - Education Contribution - £59,406
 - 30% Affordable Units
45. The applicant has requested that all of the above requirements are waived in this instance as the requirement to provide them would render the development of the site unviable. The applicant has provided a viability assessment in response to the request for these contributions that is being considered by Liberata on behalf of the Council. The response from Liberata will be reported on the Addendum Report.
46. The applicant has provided further justification as to why these contributions should not be sought, namely the creation of jobs in the local area, the screening of the remainder of the site by the properties which will bring forward amenity benefits to local residents, stimulation of the economy in the local area and in particular this site.

Overall Conclusion

47. That the application be approved.

Other Matters

Sustainability

48. A condition will be attached to any approval that ensures that any development will be carried out to the relevant Code for Sustainable Homes Level in accordance with the requirements of Policy 27 of the Adopted Joint Central Lancashire Core Strategy.

Waste Collection and Storage

49. Each property will have suitable storage and access arrangements for the use and movement of wheelie bins. The Councils Waste Officer has viewed the plans and is satisfied with the proposals.

Non- material planning considerations

50. An issue that has been raised with regard to this application is the potential to improve the overall appearance of the site through the removal of the partially demolished and derelict building on the site and whether this can be secured through this application. The building

falls outside of the red edge but within the blue edge that denotes adjacent land owned by the applicant.

51. The questions as to the removal of the building has been put to the developer however they cannot provide a definitive answer with regard to if or when this will occur. They have, however stated that the development of these 14 units would provide screening of this building and the rest of the site from the properties on Willow Road.

Planning Policies

National Planning Policy Framework

Section 6, Section 7

Adopted Chorley Borough Local Plan Review

GN1, HS4, EM9, TR4

Supplementary Planning Guidance:

- Statement of Community Involvement
- Design Guide

Joint Core Strategy

Policy 1: Locating Growth

Policy 5: Housing Density

Policy 7: Affordable Housing

Policy 10: Employment Premises and Sites

Policy 17: Design of New Buildings

Emerging Chorley Local Plan (Publication Version), 2012

HS1: Housing Site Allocations

Planning History

Ref: 06/00835/FUL Decision: PRRRTF Decision Date: 12 February 2007

Description: Retrospective application for two duct flues and locker to side elevation

Ref: 09/00635/DEMCON Decision: PERDEM Decision Date: 4 September 2009

Description: Application for prior determination in respect of the proposed demolition of the former 'Initial Washroom Solutions' Site

Ref: 10/00834/FULMAJ Decision: WDN Decision Date: 2 December 2010

Description: Proposal residential development for 50 two-storey houses (20% affordable houses)

Ref: 11/00871/FULMAJ Decision: PDE Decision Date:

Description: Proposed residential development of 41 no. 2 storey dwellings (Resubmission of application no. 10/00834/FULMAJ)

Ref: 11/00892/FUL Decision: PERFPP Decision Date: 19 January 2012

Description: Proposal to utilise existing former initial laundry site entrance and apply for adaptation, to become LCC highway compliant residential access to redevelopment on the site.

Ref: 12/01015/FULMAJ Decision: PCO Decision Date:

Description: .Proposed residential development for 14 No 2 storey dwellings.

Ref: 91/00027/FUL Decision: REFFPP Decision Date: 21 May 1991

Description: Replacement loading dock and offices

Ref: 90/00474/FUL Decision: PERFPP Decision Date: 12 June 1990

Description: Realignment of vehicle workshop roof to provide increased storage area

Ref: 87/00095/FUL Decision: PERFPP Decision Date: 17 March 1987

Description: Recladding of roof and wall to laundry

Ref: 86/00504/FUL Decision: REFFPP Decision Date:4 November 1986
Description: Alterations to the yard new vehicular access to willow road and demolition of existing canteen

Ref: 81/00497/FUL Decision: PERFPP Decision Date:8 September 1981
Description: Replacement of branch works area building and alterations to office areas

Ref: 80/01089/FUL Decision: PERFPP Decision Date:1 December 1980
Description: Hard standing and Fuel Point with small enclosure and canopy over, Vehicle and Pedestrian Gates

Ref: 79/00501/FUL Decision: PERFPP Decision Date:11 June 1979
Description: Erection of 28.95 metre high replacement chimney

Ref: 79/00935/FUL Decision: PERFPP Decision Date:1 October 1979
Description: Extension of loading facilities by formation of hard standing and 2 No. openings in existing wall

**Recommendation: Permit (Subject to Legal Agreement)
Conditions**

Conditions will be submitted on the Committee Addendum