

Item 4d **12/01096/FUL**

Case Officer **Matthew Banks**

Ward **Euxton North**

Proposal **Formation of new vehicular access incorporating hardstanding to front of property and works to trees to include felling 2no. Hawthorn and 1no. Holly (see submitted Arboricultural Implication Assessment for more detail). Re-submission of previously withdrawn application 12/00473/FUL.**

Location **48A Runshaw Lane, Euxton, Chorley, Lancashire, PR7 6AX**

Applicant **Mr & Mrs McHugh**

Consultation expiry: **22 January 2013**

Application expiry: **4 January 2013**

Proposal

1. Formation of new vehicular access incorporating hardstanding to front of property and works to trees to include felling 2no. Hawthorn and 1no. Holly (see submitted Arboricultural Implication Assessment for more detail). Re-submission of previously withdrawn application 12/00473/FUL.

Recommendation

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

Main Issues

3. The main issues for consideration in respect of this planning application are:
 - Background information;
 - Design and impact on the streetscene;
 - Impact on the neighbour amenity;
 - Impact on highways/access;
 - Impact on trees.

Representations

4. To date, a total of 8no letters have been received in relation to this application. This has resulted in 7no. letters of objection (including an objection from **Cllr Danny Gee**) and 1 letter of support.
5. **Cllr Danny Gee** has objected to the proposal and requested (in writing) the application be heard at the Development Control Planning Committee. The reasons can be summarised as follows:
 - Highway safety grounds – the access sightlines would be greatly impaired by two trees;
 - The proposed access is opposite Boarded Barn and would have a great impact on the safety of Runshaw Lane;
 - Two trees in front of the property are very mature and will be affected by the driveway.
6. The 6no. letters of objection can be summarised as follows:
 - The original plans were turned down for highway safety reasons;
 - The road is too busy to accommodate a new dwelling which is directly opposite an entrance to an estate;

- The access is dangerous and puts pedestrians and motorists in danger;
 - The original plans submitted to build the dwelling in the garden of No. 48 Runshaw Lane showed no access to Runshaw Lane for either pedestrians or vehicles. Access was always from Cedar Avenue.
 - The house would not have been approved if this access was applied for with the original application;
 - The development has been applied for in a stealthy way;
 - Drainage along Runshaw Lane is already problematic which will be compounded by the formation of a driveway and tarmac over the entire front garden of No. 48A;
 - Mature trees exist on Euxton Lane which will be affected by the proposed driveway;
 - Euxton Lane is extremely busy with a high volume of cars using it, many of which travel at excessive speeds.
 - This part of Euxton Lane is a major arterial service for Schoolchildren, both from local primary schools and high schools and students from Runshaw College;
 - There have been a number of accidents in the locality;
 - The proposed vehicular access is on a busy road with a junction only yards from the proposed access. This, together with the mature trees conceals a very dangerous potential threat for future collisions as visibility is very poor.
 - The vehicular access arrangements on the original plans have been approved and should not change. Particularly when the alternative would create a dangerous and unnecessary situation on Runshaw Lane and the removal of some small trees would not improve this enough to warrant its sanctioning.
 - The new proposal would inconvenience the rest of the local community.
7. The single letter of support can be summarised as follows:
- Felling the large mature trees is not part of this development. It is only the rogue bushes beside the mature trees that will be removed;
 - The smaller shrubs contravene Road Safety and also restrict No. 50's entrance/exit from their driveway;
 - Reference should be had to the Arboriculturist report and Highway Engineers Reports.

Consultations

8. Parish Council – objects:

- On the original application for this 'New Build' property (on 48 Runshaw Lane 07/01075/FUL) Mr & Mrs McHugh made it quite clear that the property did not need access on to Runshaw Lane, or desire access, by ticking the vehicular access boxes as NO and supporting the design in the 'Design and Access' statement advocating the space at the rear of 48 had plenty of amenity space and access for the new property 48A, and indeed vehicle turning space - this was so Planning Permission could be obtained on this site.
- No mention of wanting access on to Runshaw Lane was mentioned in 07/01075 application, as this would have thrown up at the time the same objections.
- 48 Runshaw Lane has built/retained an extension which was not mentioned in the original application for a new property which restricts the parking and space to the rear and preventing parking for 48a.
- 48 Runshaw Lane would have been fully aware that this extension goes against what was explained in the planning application for 48a and which was approved on that understanding.
- For the size of property 48a should have 3 parking spaces and only 2 are suggested so it is not acceptable in accordance with the Parking Standards.
- LCC Highways comment that the sightlines, for access onto Runshaw Lane "are technically sub-standard" and, "unacceptable on a road safety point of view".
- The Council is concerned for the welfare of the two trees affronting Runshaw Lane.

9. **Lancashire County Council Highways** – raise no objection. LCC Highways are satisfied that the proposed access will operate safely and there is sufficient space for car parking and turning. The previously approved parking arrangements are considered to be impractical, whereas the new access and parking arrangements may in fact offer a better long term solution. The access will involve the removal of the small tree and bush to aid road safety at the

locality.

10. **Coal Authority** – Standing advice.

Assessment

Background information

11. Planning permission was granted in 2007 (07/01075/FUL) at 48 Runshaw Lane for the erection of a 4 bedroomed property in the garden, now formally known as 48A Runshaw Lane. As part of this planning permission, 2 off-road parking spaces were to be provided adjacent to the existing driveway serving 48 Runshaw Lane (also a 4 bedroom property), and both properties would be accessed from Cedar Avenue.
12. In 2009, the applicant enquired with the Council about erecting a single storey extension to the rear of No. 48 Runshaw Lane. At the time the dwelling approved with the application 07/01075/FUL had not commenced and so the extension was permitted development under Schedule 2, Class A of the General Permitted Development Order 1995 (as amended). The dwelling was then constructed after the extension, which together with the recently installed BT Cabinet on Cedar Avenue, has conflicted with the previously approved parking layout.
13. As such, a planning application was submitted in July 2012 (12/00473/FUL) for the formation of a new vehicular access and creation of hardstanding to serve No.48A from Runshaw Lane, whilst No. 48 would retain the existing access and parking arrangements from Cedar Avenue. This application was withdrawn amid concerns raised by Lancashire County Council (LCC) Highways insofar as insufficient information had been submitted to demonstrate the alternative access would not result in detrimental harm to highway safety.
14. The current application is a re-submission of the previously withdrawn planning application 12/00473/FUL, which is now supported by detailed information from a highway consultant and arboriculturist.

Design and impact on the streetscene

15. At a national level the NPPF states that the Government attaches great importance to the design of the built environment and good design is a key aspect of sustainable development.
16. The NPPF also states that planning policies and decisions should aim to ensure that developments (amongst other things) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.
17. At a local level, Policy 17 of the Central Lancashire Core Strategy states that the design of new development should take account of the character and appearance of the local area, including (amongst other things) design, materials and ensuring development is sympathetic to surrounding land uses.
18. The application site comprises No. 48A Runshaw Lane which is a recently constructed dwelling, sited in-between Nos. 48 and 50. The area to the front of No. 48A comprises the garden of No. 48A, but is now proposed as an area of hardstanding to accommodate parked cars.
19. The application property and associated curtilage is positioned within a residential area of the borough and so appears visible from within the streetscene. Equally, the proposed alterations to form the new access would also be visible, being sited between two mature trees, linking the site to Runshaw Lane.
20. In terms of the impact on the character of the area, it has been noted that this part of Runshaw Lane has a particularly sylvan feel to it with the two trees to the front of 48A significantly contributing to this character. The proposed access would involve the removal of some smaller species to the west (2 hawthorn trees and 1 holly bush) to improve visibility. However, these species are small in size and only contribute a limited amount to the streetscene. Additionally, the trees are positioned on highway land and so would not usually be protected by Tree Preservation Order. Notwithstanding this, it is not considered their removal would result in

significant detrimental harm to the character of the area to warrant refusal of the application on these grounds.

21. In terms of the visual impact of the access itself, it has been noted that a number of other accesses have already been established from Runshaw Lane, particularly serving the properties to the west, thereby setting a precedent for this type of development in the area. It is not considered the physical laying of an access at this point would result in significant detrimental harm to the character of the area.
22. Although visible from within the streetscene and from neighbouring residential properties, it is not considered the proposed access would result in any significant detrimental harm to the streetscene or character of the area to warrant refusal of the application on these grounds.
23. As such, it is considered the proposed access is in accordance with the NPPF and Policy 17 of the Central Lancashire Core Strategy.

Impact on the neighbour amenity

24. At a national level, the NPPF states within one of its twelve core planning principles that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
25. Policy 17 of the Central Lancashire Core Strategy states that the design of new development should take account of the character and appearance of the local area, including ensuring that the amenities of occupiers of the development will not be adversely affected by neighbouring uses and vice versa. The Central Lancashire Core Strategy also states that development should be sympathetic to surrounding land uses and occupiers, and should not result in demonstrable harm to the amenities of the local area.
26. The application site comprises the domestic curtilage of No. 48A Runshaw Lane and the development would result in the laying of hardstanding to the front of the property to accommodate alternative parking and vehicular turning space.
27. The parking and manoeuvring of cars is something to be expected at a residential property and that proposed with this application is no different in this respect.
28. As such, the proposed works to facilitate a new access are not considered to result in any significant detrimental harm to the amenities of neighbouring residents to warrant refusal of the application on these grounds.
29. The development is therefore considered to be in accordance with the NPPF and Policy 17 of the Central Lancashire Core Strategy.

Impact on highways/access

30. The National Planning Policy Framework (NPPF) states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
31. The issue of highways/access was raised when considering the previous planning application 12/00473/FUL. At the time, Lancashire County Council (LCC) Highways were not satisfied that (1) the access could accommodate the required visibility; (2) an access could be formed without causing harm to the nearby mature sycamores and; (3) the proposed parking and vehicular turning arrangements could be appropriately accommodated within the site without the necessity for vehicles to reverse onto Runshaw Lane.
32. As such, the application was withdrawn and the applicant employed the services of an appropriately qualified highway consultant and arboriculturist. The current application therefore seeks to overcome the previous concerns raised by LCC Highways.
33. The applicant looked at ways of modifying the previously approved access arrangement by widening the driveway from Cedar Avenue. However, this has since been restricted by the

position of a BT cabinet. Enquiries made to BT have confirmed that the likely cost of repositioning the cabinet box (if an alternative appropriate location can be found) would be in excess of £40,000 which is not financially viable in this case. Additionally, the restrictive amount of available space to the rear of No. 48 means it is unlikely that an improved highway arrangement could be reached at this part of the site.

34. Having assessed all other feasible options to improve the existing access, the applicant has chosen to focus on an alternative from Runshaw Lane. As such, LCC Highways have been consulted for specialist advice in respect of the proposed access arrangements.
35. LCC Highways note that the application has been submitted because the applicant considers the previously approved access and parking arrangement to be impractical and unworkable. LCC Highways agree that the existing arrangements are likely to lead to long term parking issues between the neighbouring properties.
36. In terms of the proposed access, LCC Highways have noted this would be in between two mature sycamore trees, in a gap measuring approximately 4.5m in width. LCC Highways have noted that the clearance from the face of the two trees to the edge of the carriageway (i.e. the visibility x-distance), is approximately 1.75m in the westerly direction (lead visibility) and approximately 1.45m in the easterly direction (secondary direction). This is technically substandard to the normal requirement for an x-distance of 2m at a private residential access.
37. However as Runshaw Lane is relatively straight at the proposed access, good levels of forward visibility will otherwise be achieved in both directions. In addition, LCC Highways also note there are a number of other dwellings along Runshaw Lane at the locality which enjoy a lesser standard of visibility but have operated safely without any history of accidents.
38. The proposed access would be opposite the road junction with Boarded Barn, however, LCC Highways do not consider this to raise any significant safety issues as the proposed access would only serve a single dwelling. Additionally, it is also evident that the vehicle crossing is wider than normal, thereby enabling ease of vehicle movement.
39. As such, following a detailed site inspection and after careful consideration, LCC Highways are satisfied that the proposed access will in this instance prove acceptable and operate in a safe manner. The only requirement LCC Highway have is that two small hawthorn trees are removed, both of which are positioned to the west of the proposed access. These trees are on highway land and so their removal will aid visibility for both 48A and the property No. 50, situated to the west of the application site.
40. In terms of the proposed parking arrangements, the applicant has indicated that 2no. car parking spaces will be provided within the front garden area (although there is probably sufficient space accommodate 3no. vehicles). 2no. parking spaces have been provided in this instance as this was the same level approved with the original scheme. The level of off-road parking will therefore be no less than that approved with the original application and is considered acceptable by LCC Highways.
41. LCC Highways have noted that the proposal will provide sufficient space for vehicles to adequately turn around within the curtilage, thus allowing vehicles to enter and leave in a forward gear. In terms of highway safety, this is an important point as Runshaw Lane (which is a classified road), is busy at peak traffic times and any reversing onto/from Runshaw Lane would otherwise be prejudicial to highway safety. LCC Highways are therefore satisfied the proposed layout will accommodate the 2no. car parking spaces together with vehicular turning space.
42. As such, LCC Highways raise no objection to the application from a highway viewpoint and are satisfied that the proposed access will operate safely, providing sufficient car parking and vehicular turning space.
43. LCC Highways consider that the previously approved parking arrangements are impractical and the proposed access may offer a better long term solution to the existing parking problems

at the site. Additionally, the removal of the 2no. hawthorn trees will aid road safety at the locality.

44. As such, the proposed access is not considered to result in detrimental harm to highway safety and so is in accordance with the relevant guidance in the NPPF and Policy TR4 of the Adopted Chorley Borough Local Plan Review.

Impact on trees

45. It has been noted that the proposed access would come within close proximity to a number of trees fronting Runshaw Lane which are sited on highway land. The application is also accompanied by an Arboricultural Implication Assessment.
46. It is considered that the trees of greatest value comprise the 3 mature sycamore trees (numbered 4, 5 and 6 in the submitted report). Trees 2 and 3 (both hawthorn trees) would be felled to improve visibility sightlines in accordance with the recommendations from LCC Highways. It is not considered trees 1, 6 and 7 would be affected by the proposed development.
47. Trees 4 and 5 comprise mature sycamore trees which would be positioned either side of the proposed access and both contribute significantly to the character of the area. The submitted report states that both these trees have been assessed in relation to BS: 5837:2012 'Trees in relation to construction' which has highlighted a number of recommendations.
48. Firstly, with regard to root protection areas and the proximity of the access to trees 4 and 5, it is proposed to use a cellular confinement system for the driveway (within the root protection areas) which will avoid digging into the soil and damaging existing roots. Additionally, it is also proposed to erect protective fencing to shield the trees from any construction activity during implementation of the access/driveway. As such, it is considered that trees 4 and 5 would be adequately protected during and after implementation of the development should it be approved.
49. Both trees 2 and 3 (hawthorn trees) are proposed to be removed to improve visibility sightlines for not only the proposed access, but also the existing access at No. 50 Runshaw Lane to the west. These trees are not considered to be specimens worthy of protection and contribute only a limited amount to the character of the area. It is considered their removal in this case would not result in significant detrimental harm to the character of the area, but would help to secure a safer access to the site by improving visibility.
50. As such, on balance of the information submitted in respect of the Arboricultural Implication Assessment, it is considered the recommendations of the report are acceptable in this case, having specific regard to the minimal requirements of the proposed development.
51. The development is therefore considered to be in accordance with Policy EP9 of the Adopted Chorley Borough Local Plan Review.

Drainage

52. The proposed development will result in the creation of hardstanding to the front of the property and so this could increase surface water run-off to the highway. As such, to ensure this does not happen, a condition will be imposed to ensure the parking and vehicle manoeuvring area is either made from a permeable material or provision is made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse.
53. Therefore, subject to an appropriately worded condition, the development is considered to be in accordance with Policy EP18 of the Adopted Chorley Borough Local Plan Review.

Overall Conclusion

54. The proposed access is not considered to result in any harm to the streetscene or neighbour amenity in this case. It is considered the previously approved parking arrangements are impractical and the proposed access may offer a better long term solution to the existing parking problems at the site. The development is not considered to result in detrimental harm to highway safety and would ensure protection of valued trees at the locality.

55. As such, the application is accordingly recommended for approval subject to conditions.

Planning Policies

National Planning Policy Framework

Central Lancashire Core Strategy

Policy 17

Adopted Chorley Borough Local Plan Review

Policies GN5, TR4, EP18 and EP9

Planning History

The site history of the property is as follows:

Ref: 07/01075/FUL

Decision: PERFPP

Decision Date: 2 April 2008

Description: Demolition of existing single storey extensions and erection of single storey attached garage to side, and erection of new two storey detached dwelling,

Ref: 11/00634/DIS

Decision: PEDISZ

Decision Date: 25 August 2011

Description: Application to discharge conditions 4 (external materials), 9 (boundary treatments), 10 (surface water drainage), 11 (landscaping) and 14 (desk top report) attached to planning approval 07/01075/FUL

Ref: 12/00473/FUL

Decision: WDN

Decision Date: 16 July 2012

Description: Formation of new vehicular access and creation of hardstanding to front of property.

Application Number - 12/01096/FUL

- Formation of new vehicular access incorporating hardstanding to front of property and works to trees to include felling 2no. Hawthorn and 1no. Holly (see submitted Arboricultural Implication Assessment for more detail). Re-submission of previously withdrawn application 12/00473/FUL.
- Approve subject to conditions.
- 4 January 2012.

Recommendation: Permit Full Planning Permission Conditions

1. The approved plans are:

Received:

Drawing Ref:

Title:

9 November 2012 TSP/MM/P2326/01A

Proposed Access Arrangements

15 January 2013 Sht-1 of 2

BS58372012

15 January 2013 Sht-2 of 2

BS58372012

Reason: *To define the permission and in the interests of the proper development of the site.*

2. Notwithstanding any such detail previously shown, the car park and vehicle manoeuvring area (shown on the approved plan received 9th November 2012; Drawing number: TSP/MM/P2326/01A) shall be made of porous materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse.

Reason: *To prevent surface water run-off being directed to the highway thereby placing an addition strain on the local drainage system. In accordance with Policy EP18 of the Adopted Chorley Borough Local Plan Review.*

3. 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.*