

Item 4b **12/01012/FUL**

Case Officer **Hannah Roper**

Ward **Euxton North**

Proposal **Demolition of existing garages on the site and new build 4 No. Self Access Apartments with associated landscaping and car parking.**

Location **Garages 10M West Of 313 Greenside Euxton Lancashire**

Applicant **Adactus Housing Association Limited**

Consultation expiry: 17 December 2012

Application expiry: 19 December 2012

This application was deferred for a site visit at the Planning Committee meeting on the 15th January 2013. This site visit has taken place and the recommendation remains as per the original report.

Proposal

1. The application relates to the development of a two storey building to comprise four two bedroom apartments on the site of the existing garage blocks adjacent to 313 Greenside, Euxton. The existing garages will be demolished.
2. The proposed apartments will be 100% affordable dwellings.
3. Six car parking spaces will be provided for the development, one associated with each apartment and two visitor's spaces. These will be provided to the front of the proposed building.
4. Communal open space will be provided at the rear of the building, bin stores along the east and west boundary and an element of landscaping.
5. The proposed building will be 7.4m in overall height. Each property will have its own individual front door. A small porch area will provide individual access to the stairs for the apartments on the first floor.
6. There is currently an existing access point to the elderly people's bungalows at the rear which leads directly from the garages to the communal back garden. It is proposed to maintain this access albeit access will now be provided from the access route directly adjacent to the east of the proposed building.

Recommendation

7. It is recommended that this application is granted conditional outline planning approval.

Main Issues

8. The main issues for consideration in respect of this planning application are:

- Principle of the development
- Impact on the neighbours
- Design
- Traffic and Transport
- Drainage and Sewers
- Waste Collection and Storage
- Access

Representations

9. 9 letters of objection have been received, raising the following issues:
 - Loss of access to the elderly persons bungalows at 287 – 311 for residents, maintenance staff, emergency services and coffin bearers
 - Loss of overlooking for parked cars with regard to security
 - Loss of light, noise and disturbance to the properties adjacent to the site
 - There are more appropriate sites available
 - Highway safety and parking
 - Loss of parking for residents
 - Overlooking of the private garden area of the accommodation to the rear
10. A petition has been submitted in response to the application which has been signed by 13 local residents. No supporting information is provided alongside the petition, however it is assumed that it is in objection to the proposal.
11. The Parish Council have raised the following objections to the development:
 - The development will overlook the properties on Glencroft.
 - The disabled access to the 13 old people's properties behind, if this is to be lost or made unusable for access such as coffins, stretchers and access for emergency vehicles, which is prohibitive from the front - the residents would be cut off.
 - If there is a fire, a fire engine can only use this area to park close enough to work from or save people - it cannot access from the front which just has a pedestrian sloped path.
 - The residents suggest the garages are demolished and the area used for disability access to the properties behind, as they do not have the same access benefits as other properties and they are mostly older persons, many being disabled.
 - Also the area can be used for disabled parking as none of the properties behind this area, who use this route as their access, have an allocated parking space, as others with the bungalows facing them do, and the few who have a garage on the site will be losing their parking altogether.
12. Lindsey Hoyle MP has written on behalf of local residents raising the loss of access to the elderly people's bungalows at the rear and emergency access to these properties.
13. Councillor Perks has raised the following objections:
 - Vehicle parking access is by means of the land in between the current garages. This access is important to those elderly people who park their cars in the garages or to those visitors who collect and drop off those elderly residents confined to their homes who live in the nearby bungalows.
 - This area is vitally important as the nearest road is some distance away. Residents have indicated they cannot walk very far so it is easier for them to walk along the flat pathway to their car which is parked at the garages.
 - It is also easier for the Senior Citizens who drive to bring their cars up to unload their shopping etc.

- At the moment there is easy access for the Emergency Services, if they have to attend to Senior Citizens Bungalows for 287-301. A lack of adequate space and design provides no room at the front of the Bungalows for stretchers to be taken out because of the layout.
- The occupants of the bungalows are mostly aged between 70 – 90 years plus, some are disabled and enjoy the tranquillity and privacy what we have now.
- The flats would be overlooking these homes which house elderly residents and their communal garden.
- Placing younger families may well provide conflict and community cohesion issues for the current residents in this neighbour.
- If this current access was closed off emergency services would have difficulty reaching these homes. The only access would be for them to use the front paved area and this in turn would bring additional hazards as there is a considerable slope up to the main road

Consultations

14. **Lancashire County Council (Ecology) – no comments received**
15. **Director People and Places – no objection**
16. **United Utilities** no objection subject to the addition of conditions and informatives.
17. **Lancashire County Council (Highways) – no objection**
18. **Chorley's Waste & Contaminated Land Officer – no objection subject to appropriate condition**
19. **Parks and Open Spaces – Request for Public Open Space contribution**
20. **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 of the 16 garages 6 are let (37.5% occupancy)

Assessment

Principle of the development

21. The site falls within the defined settlement of Euxton where some growth and investment is encouraged to help meet housing and employment needs. The principle of the development in this location is therefore considered to be acceptable.
22. The site is located within a predominantly residential area. The development of the site for residential properties is therefore appropriate.

Impact on the neighbours

23. The site is flat and is currently occupied by two single storey garage blocks and hard standing used for parking. To the rear of the site is the gable end of 287 Greenside and the communal garden shared by the residents of the elderly people's bungalows. Windows are proposed in the rear elevation of the building at ground and first floor. The applicants have moved the building forward in order to achieve the required 10m distance between these windows and the boundary of the communal garden of the elderly people's bungalows at the rear. An access strip for maintenance is situated between the proposals and this garden. The proposals therefore meet the Councils requirements.
24. To the east is the side elevation of 313 Greenside which is accessed from the passage way that is adjacent to the site and runs east to the front of these properties. The rear garden back onto Greenside. This property has habitable room windows in both side facing elevations. The side elevation of the proposed flats will be located 7.5m away from the side elevation of 312 Greenside facing onto the site. As the dwellings to the rear are single storey and the room has a second window on the opposing elevation it is not considered that the proposal will impact unacceptably on the amenity of the residents of this property.
25. To the west is the rear garden of properties on Glencroft. The property directly adjacent to the boundary has an unusual shaped garden that comes to a point adjacent to the site. The boundary of the proposed site wraps around this unusual arrangement. There is a 3.5m high tree boundary along this elevation.
26. The proposed building will be set at an angle from the property at 25 Glencroft, however the nearest point of the property at Glencroft to the proposed building is 16m away. Windows originally proposed in the side elevation of the property facing 25 Glencroft have been removed from the proposal. The Councils interface standards require that a distance of 12m to be maintained from the habitable room windows to the blank gable of the proposed building. The proposal therefore accords with the policy requirement. The site and the surrounding area are flat and therefore there is no levels difference that would require this distance to be increased.
27. The proposal accords with the Councils interface distances and it is not considered that the proposal will be detrimental to the amenity of the residents of the surrounding residential properties.

Design

28. The application site is surrounded by a variety of styles of properties including terraced, single storey bungalows, two storey 60's style terraced properties and new build properties on Glencroft. The proposal is two storey in nature and has been designed to represent a row of terraced properties. The adjacent properties utilise cladding to add interest to the front elevation and cladding panels are proposed on the front elevation of the apartments which will ensure that they sit comfortably within the streetscene.
29. Private open space for the dwellings will be provided to the rear of the properties. This can be accessed through private gated access points to both side elevations of the property.
30. The applicant has provided details of the boundary treatment for the site which consist of railings and close boarded fence. Whilst these appear to be acceptable in principle, limited detail has been provided as to where these will be located on the site and exactly what they will look like, as such it is proposed that a condition requiring boundary treatment details to be submitted is proposed.

Traffic and Transport

31. The applicant is proposing to provide 6 car parking spaces to the front of the proposed building. Car parking standards would normally require two car parking spaces per two bedroom dwelling, however these properties are affordable units and as such car ownership of occupants is likely to be low. The Highways engineer is satisfied with the proposed car parking arrangements and the number of space proposed in this instance.

Drainage and Sewers

32. The applicant has provided details of the proposed drainage for the site. United utilities have been consulted on the proposals and their response will be reported on the addendum.

Sustainability

33. The applicant has submitted information that confirms that the proposed dwellings have been designed to achieve Sustainable Homes Code Level 3. Policy 27 of the Adopted Central Lancashire Joint Core Strategy sets out a sliding scale requiring properties constructed in 2013 to achieve Code Level 4 and from 2016 to achieve Code Level 6.
34. The applicant has submitted viability assessments to demonstrate that the achievement of Code Level 4 would make the scheme unviable. It is considered that given these properties are much needed affordable units that in this instance this can be considered to materially outweigh the need to achieve Code Level 4 and that Code Level 3 will be conditioned.

Section 106 Agreement

35. The applicant has submitted a viability assessment in relation to the request for public open space contributions. The viability assessment seeks to demonstrate that the provision of these affordable units would be unviable should these contributions be required. The identified need for the affordable units within Chorley is a material consideration in the determination of this application.
36. Liberata have reviewed the viability assessment submitted and confirm the following
- The provision of the s106 contribution towards open space provides a positive return by year 29 but will not meet the target rate of 105%
 - The provision of the s106 and Code 4 are unviable
37. The applicant's agent has provided further comments in relation to the request for s106 contribution following the comments by Liberata. They have stated that as the schemes are reliant on funding from the HCA, the HCA have confirmed that they will not pay grant on s106 contributions which would further reduce the viability of schemes.
38. In terms of the development of these schemes, the applicant has confirmed that to ensure financial viability of the schemes it is required that a Net Present Value of 105% or above and to break even before year 30 is required. If this cannot be achieved then a scheme will not be pursued. This cannot be achieved if the s106 or Code 4 is provided. Furthermore, the payment of the s106 would mean that that there would be no contingency fund should any further abnormalities be identified at the site during the construction process.

Overall Conclusion

39. The properties proposed are much needed affordable units and whilst no open space contribution is to be provided and the units will only achieve Code Level 3, it is considered that the need for these properties is an important material consideration and outweighs these factors. Therefore it is recommended that the proposal is granted full conditional planning approval.

Other Matters

Waste Collection and Storage

40. Communal bin stores have been proposed adjacent to the side boundaries of the property. Hardstanding will allow for the bins to be wheeled to kerb side collection point. The Councils Waste Officer has raised no objection to the proposal.

Access

41. Concerns have been raised regarding access to the rear of the proposal. Currently the residents of 297 – 311 Greenside can access the rear of their properties through a gated access point from the car park into their gardens. The loss of this access has been the subject of a number of objections.
42. The applicant is proposing to retain an access point to the rear of the properties at 297 – 311 albeit this will be realigned. The access point will be taken from the walkway to the east side of the site and will lead across an area of hard standing to the rear of the site which provides service access. This whole area will be fenced and as such will provide a suitable safe and secure access route for the residents of the sheltered accommodation.
43. The loss of the parking for residents has also been raised as an objection. Currently only 6 of the 16 garages are occupied, they are in a poor state of repair and require significant investment in order to bring them up to a reasonable standard. Whilst residents currently utilise the site to park to allow ease of access to the sheltered accommodation to the rear, this has been a privilege to local residents. The access route to the rear of these properties will ensure that residents and the emergency services do not have to access these properties through the front door and parking can take place on the road in close proximity.

Planning Policies

National Planning Policies:

Paragraph 6: Delivering a wide choice of high quality homes

Paragraph 7: Design

Adopted Chorley Borough Local Plan Review

Policies: GN1, 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:
2543d 100

Received On:
20 December 2012

Title:
Location Plan

2543d 105 C	20 December 2012	Site Plan
2543d 106 A	20 December 2012	Unit Plan
2543d 108 A	20 December 2012	Elevations
2543d 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. 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.

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. 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. 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.

9. Notwithstanding any indication on the approved plans, no development shall be commenced unless and until a drainage strategy for the disposal of surface and foul water has been submitted to and approved in writing by the Local Planning Authority. The development shall be completed, maintained and managed in accordance with the approved details.

Reason: To secure proper drainage and reduce the risk of flooding in accordance with Policy 29 of the Joint Central Lancashire Core Strategy.