

Item 4h **12/01233/FUL**

Case Officer **Helen Lowe**

Ward **Chorley South East**

Proposal **Proposed social housing development of seven houses and associated access and parking.**

Location **Pall Mall garages and sheds, 81A Pall Mall, Chorley, PR7 3LT**

Applicant **J B Loughlin (Contractors) Ltd**

Consultation expiry: 5 February 2013

Application expiry: 6 March 2013

Proposal

1. This is a full planning application for the erection of seven dwellings with associated parking. The proposed dwellings would be two storey and comprise four two bedroomed houses, one three bedroomed house and two four bedroomed houses. The scheme forms part of the National Affordable Housing Programme and will be subject to grant funding from the Homes & Communities Agency.
2. An outline application for the demolition of a number of existing buildings and structures that were vacant and redevelopment for seven dwellings was granted consent in 2010 (reference 10/00273/OUT). The only matters reserved were appearance and landscaping. The layout of the site is almost exactly the same as that approved under the earlier application, with some very minor changes to the positioning of some of the dwellings and parking provision.
3. The site has since been cleared and it was not known at the time the previous application was determined how long the site had been vacant for. The last known use of the site was for manufacturing uses that appeared to be unauthorised.
4. The site is surrounded by residential accommodation on all sides.

Recommendation

5. It is recommended that this application is granted conditional full planning approval subject to the associated Section 106 Agreement

Main Issues

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

Representations

7. Three letters of objection have been received. They make the following comments:
 - Strongly oppose the planned entrance on the proposed new estate;
 - Where will visitors to the new housing park;
 - Currently parking is difficult, and is made worse by drivers using it to shop on Pall Mall and with workers parking all day;
 - There is already a serious congestion problem on the road and cars block the pavement. This will worsen once the proposed buildings are erected;
 - Social housing will devalue my home;

- Why can't the access be from Shaw Street/File Street?

Consultations

8. **The Architectural Design and Crime Reduction Advisor** have no comments to make.
9. **United Utilities** recommend that if possible this site should be drained on a separate system, with only foul drainage connected into the foul sewer.
10. **Lancashire County Council (Highways)** comments awaited
11. **Chorley's Waste & Contaminated Land Officer** A Phase 1 Desk Study Report to investigate potential ground contamination issues has been submitted with the application. It is recommended that conditions are attached to any grant of permission requiring details of a remediation strategy to be agreed and implemented.
12. **Liberata Property Services** The appraisal provides for all sums necessary for the development of a scheme of 7 social rented properties which appear to be in keeping with other comparable scheme costs. The appraisal includes enough funds to develop to code level 3 as indicated by the appraisal but does not show any further funds available to develop to code level 4.

Assessment

Principle of the development

13. The application site lies within the settlement boundary of Chorley and the eastern part of the site is within an area identified as an established housing area, policy HS22, although there is no existing housing on the site. Policy HS22 seeks to ensure that existing housing areas within Chorley are retained.
14. Although the site was historically in employment uses, outline consent for residential development has been granted (and remains extant), therefore it is not considered that there is any conflict with policies seeking to retain employment uses.

Impact on the neighbours

15. The proposed layout of the development would result in the gable ends of the proposed dwellings being 12m from the front elevations of properties on Silvester Road. No windows to habitable rooms are proposed in the gable elevation of plots 2 and 3. Plots 7 would have ground floor windows to a dining room and living room in the gable elevation, however these would be secondary windows.
16. The rear of plots 6 and 7 would be 12m from the side gable of no. 13 Silvester Road (there is a first floor window in this side elevation but this appears to be to a non-habitable room). Plots 1 and 2; and 3, 4 and 5; would lie parallel with the rows of terrace houses on Pall Mall and File Street respectively, immediately adjacent to the gable ends of the end terraced properties. Plots 6 and 7 would lie further forward (west) of the front elevations of 1-5 File Street. The proposed dwellings would project slightly forward of a 45 degree line taken from the nearest ground floor window of no. 5 File Street. However, given the fact that there would be a separation of 8.2m between no. 5 File Street and Plot 6 and the fact that the proposed dwelling would be adjacent to the front garden area of no. 5 File Street (rather than overshadowing private amenity space to the rear), it is not considered that this would be unduly detrimental to the occupants of no. 5 File Street.
17. Plots 1 and 2 would front directly onto Pall Mall, their first floor windows being 18 m from facing windows in properties directly opposite. This is less than the Council's Guideline of 21m. However, to set back the front elevation of the proposed dwellings would be harmful to the street scene and their location reflects the relationship between other existing dwellings on Pall Mall. To date no comments have been received from the occupants of these properties.

18. Some of the Council's interface standards would not be met between the proposed dwellings on the application site. However as these reflect the character and layout of existing neighbouring properties and only existing between new properties this is not considered to be unduly harmful.

Design

19. The layout of the proposal follows the principles of scale and form as seen in adjoining terraced properties in File Street to the north and Pall Mall to the west. The properties to the south and east on Silvester Road are semi-detached. By orienting the properties to align with those on File Street and Pall Mall rather than to face Silvester Road gives an interesting contrast and allows for a more intensive use of the site. It is considered that the scale and layout is in keeping with the character of the surrounding area.
20. Neighbouring properties are constructed in a variety of design and from a variety of materials. The design of the proposed dwellings is considered to be in keeping with the general character of the area. It is recommended that conditions are attached requiring details of materials to be agreed by sample.

Ecology

21. When the earlier application was submitted a number of buildings remained on the site and a bat survey was submitted with the application. The site has now been cleared and it is not considered that the proposal would have any impact on ecology.

Traffic and Transport

22. The application proposes four two bedroomed properties, one three bedroomed property and two four bedroom properties. All vehicular access is to be taken off Silvester Road. It is proposed to provide two off road parking spaces for each of the two and three bedroom properties, in line with the Council's Standards. Of the two remaining four bedroom properties, one has two parking spaces, one has three, however the three spaces are in tandem, rather than parallel.
23. Policy ST4 of the Publication Local Plan advises that four bedroomed properties should have three off road parking spaces. The parking provision for the four bedroom properties is therefore slightly substandard. Although the site is in a relatively sustainable location, close to the town centre, public transport links and other amenities, there are limited levels of on and off street parking in the locality. To date, no objections have been received from LCC Highways. The concerns of the local residents are noted, however, on balance it is considered that in the light of no objections being received from LCC Highways and the sustainable location of the site, it would be difficult to sustain a refusal on these grounds.

Contamination and Coal Mines

24. The application site is within an area identified as being at low risk from coal mining therefore a coal mining risk assessment is not required. An informative should be attached to any grant of planning consent.

Section 106 Agreement & Sustainable Resources

25. The applicant has provided a viability assessment to demonstrate that the scheme is unviable under normal circumstances and would request that the requirement to achieve Code 4 for Sustainable Homes be waived and also that the S106 obligation to pay £9,289 towards POS be waived also.
26. Liberata have advised that the figures provided do demonstrate that the scheme would not be viable if constructed to Code Level 4, however the figures provided included the provision of a financial contribution towards the provision of public open space thereby demonstrating

that that the scheme would be viable with this sum included. The Council will therefore still be requesting a financial contribution towards the provision of public open space for this site.

27. Policy 27 of the Core Strategy also requires that proposals for five or more dwellings should also include either additional building fabric insulations measures or that appropriate energy sources are installed and implemented to reduce carbon dioxide emissions by at least 15%. This requirement has not been addressed in the viability assessment.

Overall Conclusion

28. An extant outline consent remains for the site, which is in a sustainable location where the NPPF seeks to encourage development. The details of the proposals are considered to be acceptable and it is accordingly recommended for approval.

Other Matters

Waste Collection and Storage

29. Space has been shown on the site plans for the refuse storage.

Non- material planning considerations

30. The de-valuation of property is not a material planning consideration.

Planning Policies

National Planning Policies:

NPPF

Adopted Chorley Borough Local Plan Review

Policies: GN1, GN5, EP4, EP9, HS4, HS22, EM9, TR4

Adopted Central Lancashire Core Strategy

Policies 10, 17 & 27

Chorley Local Plan 2012-2026 Publication Site Allocations and Development Management Policies development Plan Document

Planning History

77/00389 Rebuilding of part of home improvement centre
Approved

85/00086 Change of use from garden centre to mixed use for car repairs/servicing, car sales, manufacture of garden sheds, sale and display of sheds, garage and gas heaters
Refused

10/00273/OUT Outline application for the erection of 7 dwellings and associated works
11 June 2010

Recommendation: Permit (Subject to Legal Agreement) Conditions

- Prior to the commencement of any development, full details of the alignment, height and appearance of all fences and walls to be erected to the site boundaries (notwithstanding any such detail shown on previously submitted plan(s)) shall have been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied or land used pursuant to this permission before all walls and fences have been erected in accordance with the approved details. Fences and walls shall thereafter be retained in accordance with the approved details at all times.**
Reason: To ensure a visually satisfactory form of development and to protect the amenities of occupiers of nearby property and in accordance with Policy 17 of the

2. Prior to the commencement of development full details of the colour, form and texture of all hard landscaping (ground surfacing materials) (notwithstanding any such detail shown on previously submitted plans and specification) shall have been submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved, and shall be completed in all respects before the final completion of the development and thereafter retained.
Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policies GN5, HS4 and EP18 of the Chorley Borough Local Plan Review 2003 and Policies BNE1 of the Chorley Local Plan 2012-2026.
3. There is potential for ground contamination at this site (former garages & sheds). Due to the size of development and sensitive end-use (residential housing with gardens), no development shall take place until:
 - a. a methodology for investigation and assessment of ground contamination has been submitted to and agreed in writing with the Local Planning Authority. The investigation and assessment shall be carried in accordance with current best practice including British Standard 10175:2011 'Investigation of potentially contaminated sites - Code of Practice'. The objectives of the investigation shall be, but not limited to, identifying the type(s), nature and extent of contamination present to the site, risks to receptors and potential for migration within and beyond the site boundary;
 - b. all testing specified in the approved scheme (submitted under a) and the results of the investigation and risk assessment, together with remediation proposals to render the site capable of development have been submitted to the Local Planning Authority;
 - c. the Local Planning Authority has given written approval to any remediation proposals (submitted under b), which shall include an implementation timetable and monitoring proposals. Upon completion of remediation works a validation report containing any validation sampling results shall be submitted to the Local Authority.

Thereafter, the development shall only be carried out in full accordance with the approved remediation proposals.

Should, during the course of the development, any contaminated material other than that referred to in the investigation and risk assessment report and identified for treatment in the remediation proposals be discovered, then the development should cease until such time as further remediation proposals have been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the environment and prevent harm to human health, by ensuring the site is suitable for the proposed end-use, in accordance with Paragraph 121 of the National Planning Policy Framework (DCLG, 2012).

4. All dwellings commenced will be required to meet Code Level 3 of the Code for Sustainable Homes. Within 6 months of occupation of each dwelling a Final Certificate, certifying that the relevant Code for Sustainable Homes Level for that dwelling has been achieved, shall be submitted to the Local Planning Authority.
Reason: In the interests of minimising the environmental impact of the development and in accordance with Policy 27 of the Central Lancashire Core Strategy 2012.
5. Prior to the commencement of the development a 'Design Stage' assessment and related certification shall be submitted to and approved in writing by the Local Planning Authority. The assessment and certification shall demonstrate that the dwellings will meet the relevant Code Level.

Reason: In the interests of minimising the environmental impact of the development and in accordance with Policy 27 of the Central Lancashire Core Strategy 2012.

6. Prior to the commencement of the development a Carbon Reduction Statement shall be submitted to and approved in writing by the Local Planning Authority. The Statement shall demonstrate that either appropriate decentralised, renewable or low carbon energy sources will be installed and implemented to reduce the carbon dioxide emissions of the development by at least 15% or additional building fabric insulation measures are installed beyond what is required to achieve the relevant Code Level 3 rating.

Reason: In the interests of minimising the environmental impact of the development and in accordance with Policy 27 of the Central Lancashire Core Strategy 2012.

7. 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.

8. No dwelling shall be occupied until a letter of assurance; detailing how that plot has met the necessary Code Level has been issued by a Code for Sustainable Homes Assessor and approved in writing by the Local Planning Authority.

Reason: In the interests of minimising the environmental impact of the development and in accordance with Policy 27 of the Central Lancashire Core Strategy 2012.