

Item 4f **13/00245/REM**

Case Officer **Nicola Hopkins**

Ward **Chorley North East**

Proposal **Reserved matters application for the demolition of Park Road Methodist Church and the erection of 7 No. dwellings**

Location **Park Road Methodist Church Park Road Chorley PR7 1QN**

Applicant **James Carter Homes**

Consultation expiry: **24 April 2013**

Application expiry: **21 May 2013**

Proposal

1. This application is a reserved matters application relating to the Park Road Methodist Church. Outline planning permission was granted in September 2012 for the redevelopment of the site including the demolition of the existing building. At this stage all matters were served apart from access and siting. This application seeks to deal with the design, scale and landscaping of the proposed site.

Recommendation

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

Main Issues

3. The main issues for consideration in respect of this planning application are:
 - Principle of the development
 - Background information
 - Housing Development
 - Density
 - Open Space
 - Trees and Landscape
 - Ecology
 - Traffic and Transport
 - Loss of a community facility
 - Impact on the Neighbours
 - Sustainability

Representations

4. 1 letter has been received from the neighbouring printing business stating:
 - Our building fronts onto the unadopted road on the edge of this development. I was assured that the development wouldn't affect us in any way. We need access at all times to our entrance & warehouse doors - as long as the development doesn't affect our access then I have no objection

Consultations

5. **United Utilities** have no objection to the proposals subject to specific drainage conditions
6. **Chorley's Waste & Contaminated Land Officer** has confirmed that the submitted risk assessment (Thomas Consulting Preliminary Risk Assessment report) recommends an intrusive site investigation to examine the potential ground contamination issues that have been identified in the PRA report. The Officer has no objection to development provided a

suitable site investigation is completed, and any remedial works that are identified should be completed and verified. This can be secured by condition.

7. **The Council's Conservation Officer** has commented on the proposals as set out within the assessment below

Assessment

Principle of the development

8. The principle of residential development on the site was established by the grant of outline planning permission. The site is highly accessible, being situated close to the town centre and public transport facilities.

Background Information

9. The proposed development involves the demolition of the current buildings and the redevelopment of the site for housing. When the outline application at this site was considered it was understood that the redevelopment of the site was being considered because of the poor structural and decorative condition of the buildings and the fact that the church congregation has diminished to such a level that it is now proposed to merge with that at Trinity Methodist Church, Gillibrand Walks, Chorley.

Housing Development

10. At outline stage access to the site and the siting of the properties was assessed and approved. This scheme respects the outline approval and seeks approval of the design, scale and landscaping of the scheme. All of the properties are two storey in a terraced row (5 properties) and a pair of semi-detached dwellings.
11. The immediate neighbours to the site are 18/20 Park Road, 11 Parker Street (on the opposite side of the private access road which is occupied by Smart Print and Labels), 16 Park Road (which is flat accommodation), 22 Park Road (on the opposite side of Nichol Street) and 16-28 Parker Street (on the opposite side of the road).
12. Plot 7's side gable faces Parker Street opposite 22-28 Parker Street and maintains 12 metres from the front elevation of the existing properties to the side gable of the proposed property in accordance with the Council's spacing standards. There are three windows within the side gable of plot 7 however they will all serve bathrooms/ en-suite accommodation and can be obscurely glazed. As such there will be no loss of amenity to either the existing or future residents.
13. Parking for plots 2-4 will be accessed off Parker Street which accords with the outline approval.
14. Plots 1 to 5 face Park Road. Plot 5's end gable faces 16 Park Road across the existing private access road. In excess of 10 metres is maintained between the existing property and the proposed property and although there are windows within the side elevation of 16 Park Road which faces the application site the siting of the plots accords with the siting which was approved at outline stage. There are three windows within the side gable of plot 5 however they will all serve bathrooms/ en-suite accommodation and can be obscurely glazed. As such it is not considered that there will be no loss of amenity to either the existing or future residents.
15. Plot 1 will be adjacent to 18 Park Road. There are no windows within the side elevation of 18 Park Road. There are three windows within the side gable of plot 1 however they will all serve bathrooms/ en-suite accommodation, non-habitable rooms, and will not create an unacceptable level of amenity for the future residents, due to the proximity of these windows to 18 Park Road.
16. The garden area for plot 1 will be located immediately to the rear of 18 and 20 Park Road. There are windows within the rear elevation of these properties which will enable the occupiers to overlook the private garden area associated with plot 1 however this is in

accordance with the siting approved at outline stage and as such is already fixed. The future occupiers of plot 1 will be aware of this relationship when they purchase the property.

17. Plots 6 and 7 will be served via Nichol Street and face an area of amenity greenspace. It is not considered that either of these plots will result in loss of amenity for the existing residents.
18. Internally within the site plot 1 only maintains 9 metres from the first floor windows to the boundary with the private garden area of plot 6 and plots 6 and 7 only maintain 5.5 and 6 metres, respectively, from the first floor windows to the boundary with the private rear garden of plot 2 (although they face the parking area associated with this plot). These distances do not meet the required 10 metres however this distance was fixed at outline stage. To ensure that no further loss of amenity is created in the future permitted development rights will be removed from these plots.

Density

19. The site covers an area of 0.12 hectares. A development of 7 dwellings equates to a density of approximately 58 dwellings per hectare. Policy 5 of the Core Strategy relates to housing densities and states that the authorities will secure densities of development which are in keeping with local areas and which will have no detrimental impact on the amenity, character, appearance, distinctiveness and environmental quality of an area, consideration will also be given to making efficient use of land.
20. It is considered that a density of 58 dwellings per hectare is appropriate for this Chorley location in close proximity to the town centre. The density ensures efficient use of land within a sustainable location in accordance with guidance contained within the framework.

Trees and Landscape

21. There are existing trees on the site which are not protected by a Tree Preservation Order however they are proposed to be retained as part of the development.

Ecology

22. The scheme involves the demolition of the existing building on the site and there are existing trees on the site and as such the ecological implications of the scheme were a consideration at outline stage. The outline application was supported by a bat survey which concluded that there was no evidence of roosting bats at the site. The absence of roost evidence does not preclude the possibility of bats using the buildings however the likelihood of a significant roost is considered low.
23. Following a supreme court ruling (Morge vs. Hampshire County Council – Supreme Court ruling Jan 2011) the Local Authority now have a responsibility to consult Natural England on proposals which may affect protected species and ask the following questions:
 - Is the proposal likely to result in a breach of the Habitats Regulations?
 - If so, is Natural England likely to grant a licence?
24. As set out above it is not considered that the proposals will affect protected species.
25. Following a high court decision (R (on the application of Simon Woolley) v Cheshire East Borough Council, June 2009) the Local Planning Authority have a legal duty to determine whether the three 'derogation tests' of the Habitats Directive implemented by the Conservation (Natural Habitats &c.) Regulations 1994 have been met when determining whether to grant planning permission for a development which could harm a European Protected Species. The three tests include:
 - (a) the activity must be for imperative reasons of overriding public interest or for public health and safety;
 - (b) there must be no satisfactory alternative and
 - (c) favourable conservation status of the species must be maintained.
26. This requirement does not negate the need for a Licence from Natural England in respect of Protected Species and the Local Planning Authority are required to engage with the Directive.

27. The submitted bat survey does include recommendations, such as a resurvey if the roof removal did not occur within 12 months of the survey (the original survey was undertaken in November 2001), which can be addressed by condition. It is considered that the Council, subject to suitable conditions, has discharged its obligations in respect of the above tests.

Conservation Area

28. Immediately south of the application site is St Laurence's Conservation Area, which contains a number of designated heritage assets, including the grade II listed buildings at 12 to 16 Park Road. The existing church building dates from the late 1960s and, in the view of the Council's Conservation Officer, is considered to be of little historic, architectural or aesthetic value and, furthermore, to be beginning to cause visual blight to the appearance of the adjacent conservation area and the setting of the grade II listed 12 - 16 Park Road.
29. The Conservation Officer has commented that the design chosen has taken the conservative or safe route of utilising a pastiche version of late 18th/early 19th Century terraced housing – Ashlar style render – stucco as it is correctly termed – to the ground floor with brick to the first floor, fibrous cement tiles for the roof and mock sash windows.
30. Whilst this is not the design approach the officer would advocate, preferring there to be a clearer distinction between old and contemporary buildings, it is nevertheless sympathetic and subservient to its setting and in particular to the nearby listed buildings. The Officer has recommended the following amendments:
- Extend the stucco (render made to look like fine ashlar) to the whole of the front elevations, at least to the properties that face onto Park Road.
 - Add chimney stacks to each dwelling. These could be of light weight construction and would be used for extract ducts from kitchens and bathrooms and would avoid the use of ugly wall mounted vent grilles. Without these the roof space is bald and unrelieved of interest.
31. The applicant was advised of these requirements and the plans have been amended accordingly. It is considered that the significance of the heritage asset, 12 – 16 Park Road and the St Laurence's Conservation Area, will be enhanced as a result of the proposed development. The proposed development will therefore be in conformity with paragraph 137 of the Framework.
32. It is noted that the properties on plots 1-5 now incorporate single storey rear family rooms which were not detailed on the original approved layout however it is not considered that single storey rear extensions as proposed will adversely impact on the scheme as a whole.

Traffic and Transport

33. All of the properties are three bedroom dwellings which require 2 off road parking spaces, in accordance with emerging Policy ST4, per dwelling. Plots 2- 5 incorporate parking at the rear of the plot accessed via Parker Street. Each property includes 2 tandem parking spaces, one behind and one in front of proposed gates.
34. Plot 1 incorporates 2 parking spaces accessed off Nichol Street. These spaces are 5 metres long which is shorter than usually required (5.5 metres) however this accords with the outline approval and are sufficient to accommodate 2 cars.
35. Plots 6 and 7 incorporate driveway space to the front/ side of the properties sufficient for 2 cars. (It is noted that these driveways are slightly shorter than usually required however not to a degree that will create on street parking).
36. The retention of the parking spaces will be controlled by condition and it is not considered that the proposals will create any highway safety implications.

Loss of a community facility

37. At outline stage it was identified that the proposals would result in the loss of a community facility and as such it would need to be demonstrated that either alternative provision of a

similar standard and in a suitable location would be made available or that redevelopment would lead to an improvement in the overall quality and availability of existing facilities.

38. It is understood that the proceeds from selling the site would be used to enable the Trinity Methodist Church, Gillibrand Walks, Chorley site to be refurbished or re-developed.

Impact on the adjacent business

39. Noted above the neighbouring business has raised concerns about access to their premises. The proposals do not extend onto the adjacent access road which serves the business and as such the proposals will not adversely impact on these premises.

Sustainability

40. Policy 27 of the Adopted Central Lancashire Core Strategy states that all dwellings will be required to meet Level 4 of the Code for Sustainable Homes from January 2013. In this regard the outline approval contained the following condition:

Each dwelling hereby permitted shall be constructed to achieve the relevant Code for Sustainable Homes Level required by Policy 27 of the Central Lancashire Core Strategy, or in accordance with the national standard postdating the Core Strategy in place at the time of construction. The current requirements to be complied with are as follows; Level 3 for all dwellings commenced from 1st January 2010, Level 4 for all dwellings commenced from 15th January 2013 and Level 6 for all dwellings commenced from 1st January 2016.

Reason: To ensure the proper planning of the area. In line with the objectives of the NPPF, Policies EM16 & EM17 of the Regional Spatial Strategy and Policy 27 of the Central Lancashire Core Strategy, 2012.

41. Similar conditions have been attached to this recommendation although reworded for ease of compliance.
42. The Policy also states that subject to other planning policies, planning permission for new built development will only be granted on proposals for 5 or more dwellings where all of the following criteria are satisfied:
- (a) Evidence is set out to demonstrate that the design, orientation and layout of the building minimises energy use, maximises energy efficiency and is flexible enough to withstand climate change;
 - (b) Prior to the implementation of zero carbon building through the Code for Sustainable Homes for dwellings or BREEAM for other buildings, either additional building fabric insulation measures,
- or
- appropriate decentralised, renewable or low carbon energy sources are installed and implemented to reduce the carbon dioxide emissions of predicted energy use by at least 15%;
- (c) Appropriate storage space is to be provided for recyclable waste materials and composting;
 - (d) If the proposed development lies within a nationally designated area, such as a Conservation Area or affects a Listed Building, it will be expected to satisfy the requirements of the policy through sensitive design unless it can be demonstrated that complying with the criteria in the policy, and the specific requirements applying to the Code for Sustainable Homes and BREEAM, would have an unacceptable adverse effect on the character or appearance of the historic or natural environment.
43. As the proposed development exceeds 5 dwelling units both parts of the Policy should be satisfied. However the second part of the policy was not secured at outline stage and cannot be secured at reserved matters stage.

Section 106 Agreement

44. A S106 Agreement was not considered necessary at outline stage as the proceeds of the sale of the land will be used to fund improvements at the combined church.

Overall Conclusion

45. The proposals accord with the outline planning approval at this site and will enable the redevelopment of a brownfield site within a sustainable location. It is considered that the proposals will assist in securing the sustainability objectives of both the Framework and the adopted Core Strategy.

Planning Policies

National Planning Policies:

National Planning Policy Framework, part 12 Conserving and Enhancing the Historic Environment, paragraphs 131 and 132

Adopted Chorley Borough Local Plan Review:

- **GN1:** Settlement Policy- Main Settlements
- **GN5:** Building Design and Retaining Existing Landscape Features and Natural Habitats
- **GN9:** Transport Accessibility
- **EP4:** Species Protection
- **EP9:** Trees and Woodland
- **HS1:** Housing Allocations
- **HS4:** Design and Layout of Residential Developments
- **HS6:** Housing Windfall Sites
- **HS21:** Playing Space Requirements
- **TR1:** Major Development- Tests for Accessibility and Sustainability
- **TR4:** Highway Development Control Criteria
- **TR18:** Provision for pedestrians and cyclists in new developments

Central Lancashire Core Strategy (adopted July 2012)

Policies to be given weight are:

- **Policy MP** clarifies the operational relationship between the Core Strategy and the National Planning Policy Framework. When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the framework. Planning policies that accord with the policies in the Core Strategy will be approved without delay, unless material considerations indicate otherwise. Where there are no policies relevant to the application or relevant policies are out of date the Council will grant planning permission unless material considerations indicate otherwise taking into account Policy MP a) and b).
- **Policy 1** Locating Growth
- **Policy 4** Housing Delivery
- **Policy 5** Housing Density
- **Policy 22** Biodiversity and Geodiversity
- **Policy 17** Design of new buildings
- **Policy 27** Sustainable Resources & New Developments

Supplementary Planning Guidance

- The Central Lancashire Supplementary Planning Document Design Guide (adopted October 2012) is relevant as it aims to encourage high quality design of places, buildings and landscapes in the Borough. This supersedes the Chorley Design Supplementary Planning Guidance (July 2004)

Emerging Local Plan

Publication Chorley Local Plan 2012 - 2026 (Submission 21 December 2012)

Relevant Policies are:

- ST3: Road Schemes and Development Access Points
- ST4: Parking Standards
- HS1: Housing Site Allocations
- HS4A: Open Space Requirements in New Housing Developments
- HS4B: Playing Pitch Requirements in New Housing Developments
- EP7: Development and Change of Use in District and Local Centres

- BNE1: Design Criteria for New Development. Criteria a, b, c, d, f, g and h are relevant to the proposal.
- BNE9: Trees
- BNE10: Species Protection

Emerging Supplementary Planning Guidance

- Open Space and Playing Pitch Supplementary Planning Document – The purpose of this DPD is to provide guidance on the interpretation and implementation of the Council’s open space and playing pitch policies as set out within the emerging Local Plan
- St Laurence’s Conservation Area Appraisal and Management Proposals’ document, which was adopted by the Council’s Executive Cabinet as a supporting document for use in the Development Management process on 1 October 2009.

Planning History

77/00765/FUL: New Park Road Methodist Church. Approved 1977

77/00333/LBC: Demolition of Park Road Methodist Church. Approved 1977

85/00168/FUL: Erection of 6 foot high fence on frontages to Nichol Street/Parker Street. Approved 1985

88/00124/FUL: Erection of single storey building for the use of church and Sunday school. Approved 1988

91/00536/ADV: Display of advertising sign. Advertisement consent 1991

92/00315/FUL: Erection of 6ft high concrete fence to the north and low brick/york stone wall to the south fitting of new railings and gate and improvements to car park. Approved 1992

03/01269/FUL: Replacement of existing concrete slab and post fence with steel railings 1.52m high. Approved 2004

12/00043/OUT: Outline application for demolition of the existing church building and redevelopment of the site for residential use (seven houses). Withdrawn

12/00664/OUT: Outline application for demolition of the existing church building and redevelopment of the site for residential use (seven houses). Approved 2012

Recommendation: Approve Reserved Matters Conditions

1. **The proposed development must be begun not later than two years from the date of this permission.**
Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. **Prior to the commencement of development a report to identify any potential sources of contamination on the site and where appropriate, necessary remediation measures shall be submitted to and approved in writing by the Local Planning Authority.**

The report should include an initial desk study, site walkover and preliminary risk assessment as defined in ‘CLR 11: Model Procedures for the Management of Land Contamination’. Should the initial study identify the potential for contamination to exist on site, the scope of a further study must then be agreed in writing with Local Planning Authority.

The development and remediation measured shall be carried out in accordance with the approved report.

Reason: To ensure the site is suitable for the proposed end-use, in accordance with Paragraph 121 of the National Planning Policy Framework (DCLG, 2012).

3. **The hereby permitted shall be carried out in accordance with the following approved plans:**

Title	Drawing Reference	Received date
Location Plan		20 March 2013

Elevations	001306/DG 03 Rev A	30 April 2013
Site Layout Plan	001306/DG 01	18 March 2013
Floor Plans	001306/DG 02	18 March 2013

Reason: *For the avoidance of doubt and in the interests of proper planning*

4. No vegetation clearance works, building works or other works that may affect nesting birds shall be undertaken between March and August inclusive, unless the absence of nesting birds has been confirmed by further surveys or inspections.
Reason: *In order to comply with the Wildlife and Countryside Act, 1981 (as amended).*

5. Immediately prior to the commencement of development, notwithstanding details already submitted a further bat survey shall be undertaken. If the presence of roosting bats is detected or suspected during this survey or at any other stage before or during the proposed development, then works should not proceed until it has been established whether or not a Natural England licence is required.
Reason: *In accordance with Policy 22 of the Adopted Core Strategy and in order to comply with The Conservation of Habitats and Species Regulations, 2010.*

6. All dwellings commenced after 1st January 2013 will be required to meet Code Level 4 of the Code for Sustainable Homes and all dwellings commenced after 1st January 2016 will be required to meet Code Level 6 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. In accordance with Policy 27 of the Adopted Central Lancashire Core Strategy.*

7. 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. In accordance with Policy 27 of the Adopted Central Lancashire Core Strategy.*

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. In accordance with Policy 27 of the Adopted Central Lancashire Core Strategy.*

9. Prior to the commencement of development samples of all external facing and roofing materials (notwithstanding any details shown on previously submitted plans and specification) shall be submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved.
Reason: *To ensure that the materials used are visually appropriate to the locality. In accordance with Policies GN5 and HS4 of the Adopted Chorley Borough Local Plan Review and Policy 17 of the Adopted Central Lancashire Core Strategy*

10. 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. In accordance with Policies GN5 and HS4 of the Adopted Chorley Borough Local Plan Review and Policy 17 of the Adopted Central Lancashire Core Strategy.*

11. Before the development hereby permitted is first commenced full details of existing and proposed ground levels and proposed building finished floor levels (all relative to ground levels adjoining the site) shall have been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on previously submitted plans. The development shall be carried out strictly in conformity with the approved details.
Reason: To protect the appearance of the locality and in the interests of the amenities of local residents. In accordance with Policies GN5 and HS4 of the Adopted Chorley Borough Local Plan Review and Policy 17 of the Adopted Central Lancashire Core Strategy.
12. 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 earlier, 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.
Reason: In the interest of the appearance of the locality. In accordance with Policy GN5 of the Adopted Chorley Borough Local Plan Review and Policy 17 of the Adopted Central Lancashire Core Strategy.
13. No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot, have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.
Reason: To ensure a visually satisfactory form of development and to provide reasonable standards of privacy to residents. In accordance with Policies GN5 and HS4 of the Adopted Chorley Borough Local Plan Review and Policy 17 of the Adopted Central Lancashire Core Strategy.
14. The proposed driveways and parking areas shall be constructed using permeable materials on a permeable base, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the boundaries of the property (rather than to the highway).
Reason: In the interests of highway safety and to prevent flooding. In accordance with Government advice contained within the National Planning Policy Framework and Policy 17 of the Adopted Central Lancashire Core Strategy.
15. Surface water must drain separate from the foul and no surface water will be permitted to discharge to the foul sewerage system.
Reason: To secure proper drainage of the site in accordance with Government advice contained within the National Planning Policy Framework.
16. All windows in the east elevation of plot 7, the south elevation of plot 5, the north elevation of plot 1 and the west elevation of plot 6, hereby permitted, shall be fitted with obscure glass and obscure glazing shall be retained at all times thereafter. The obscure glazing shall be to at least Level 3 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing by the local planning authority.
Reason: In the interests of the privacy of occupiers of neighbouring property. In accordance with Policies GN5 and HS4 of the Adopted Chorley Borough Local Plan Review and Policy 17 of the Adopted Central Lancashire Core Strategy.
17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (Schedule 2, Part 1, Classes A, B, C, D, E) or any subsequent re-enactment thereof no extension to the dwellings on plots 1, 6 and 7 shall, porch, garden shed, greenhouse, garage or car port be erected nor any hardstanding area extended other than those expressly authorised by this permission.

Reason: In the interests of neighbour amenity. In accordance with Policies GN5 and HS4 of the Adopted Chorley Borough Local Plan Review and Policy 17 of the Adopted Central Lancashire Core Strategy.

18. The parking spaces hereby approved shall be kept freely available for the parking of cars at all times.

Reason: To ensure adequate off street parking provision is maintained and thereby avoid hazards caused by on-street parking. In accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review, Policy 17 of the Adopted Central Lancashire Core Strategy and emerging Policy ST4 of the Chorley Local Plan 2012-2026.