

Item 3n	15/00039/FUL
Case Officer	Iain Crossland
Ward	Lostock Ward
Proposal	Erection of 6no. affordable dwellings and associated landscaping, access and car parking
Location	Land And Garages Adjacent 26 Pear Tree Road Croston
Applicant	Adactus Housing Association
Consultation expiry:	23 February 2015
Decision due by:	20 March 2015

Recommendation

It is recommended that this application is approved subject to conditions.

Executive Summary

The main issues to consider are whether the proposal would result in an acceptable impact on neighbour amenity, the character and appearance of the surrounding area and the highway impact.

Representations

Croston Parish Council

The Parish Council objects to the above application on the following grounds:

1. the 40 dwellings per hectare is in excess of the stipulations of Policy 5 (8.17) of the Central Lancashire Core Strategy.
2. the Parish Council has concerns regarding the suitability of the proposed single track access road.

In total 2 representations have been received which are summarised below

Objection

Total No. received: 2

- Loss of privacy / overlooking
- Loss of parking for local residents
- Highway safety issues due to inadequate access
- It is highly likely that a wheeled bins collection point on Peartree road will result in some bins being left abandoned and not collected for days creating a nuisance and compounding the parking/congestion on the kerbside.
- The ecology assessment recognises the presence of Japanese Knotweed, however the mitigation specifies "Herbicidal treatment" only.
- No details for either mitigation or compensation due to the loss of garages in private ownership

Consultees

Consultee	Summary of Comments received
United Utilities	<p>In accordance with the National Planning Policy Framework and Building Regulations, the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.</p> <p>To reduce the volume of surface water draining from the site we would promote the use of permeable paving on all driveways and other hard-standing areas including footpaths and parking areas.</p> <p>A public sewer crosses this site and we will not permit building over it. We will require an access strip width of six metres, three metres either side of the centre line of the sewer which is in accordance with the minimum distances specified in the current issue of "Sewers for Adoption", for maintenance or replacement.</p> <p>A separate metered supply to each unit will be required at the applicant's expense and all internal pipe work must comply with current water supply (water fittings) regulations 1999.</p>

Waste and contaminated land officer	<p>I have no objections to the proposed development.</p> <p>I have reviewed the Phase 1 desk study by Sutcliffes (ref: LG27529 January 2015) and agree with their recommendation for intrusive investigation to confirm the initial desk-based findings.</p>
LCC Highways	<p>There are no highway objections to the proposal in principle, however, the improvements highlighted above are essential to create an environment that is safe for all road users and in which people are encouraged to walk and cycle and feel safe doing so, therefore, if these measures cannot be provided for in an amended proposal, then, I would recommend that approval of the application be resisted.</p>

Assessment

The Site

1. The application site is a garage colony site located within the settlement area of Croston. The site is irregular in shape, is reasonably level and measures around 0.15ha in area. There is an existing vehicular access to Pear Tree Road to the south east of the site.
2. The site comprises eight pre-fabricated garages some of which are in use and an area of hard standing providing access to the garages. There is a grassed area covering part of the site and some trees around the perimeter. The site is not an amenity area.
3. The site is located to the rear of dwellings fronting onto Pear Tree Road to the south and east, and at the rear of dwellings on Dalton Fold to the west. There are also dwellings to the north of the site and a commercial car sales garage fronting Moor Road (B5249). The area is characterised predominantly by residential dwellings in a variety of designs and styles, which result in a suburban character.

The Proposal

4. The proposed development is for the erection of 6 No. 2 bedroom, 3 person terraced dwellinghouses to provide affordable housing with associated curtilage, a car parking area and some small areas of landscaping.
5. The proposed dwellings would have a width of around 4.6m resulting in a total row width of around 27m and there would be a depth of around 8.7m. There would be dual pitched roofing with a ridge and eaves height of around 7.9m and 5m respectively. The properties would be of a traditional design and faced in red brick with roofing laid in grey concrete tiles.
6. There would be enclosed gardens to the rear of the properties, with a pedestrian access beyond them, and there would be small lawned gardens to the front.
7. The existing garages would be demolished to make way for the proposed development.
8. The site would be enclosed by 2.1m high timber fencing.
9. A series of improvements are also proposed to the existing vehicular access in order to facilitate the development.

Assessment

The main issues are as follows:-

Issue 1 – Impact on character and appearance of the locality

Issue 2 – Impact on neighbour amenity

Issue 3 - Impact on highways/access

Issue 4 – Ecology

Issue 6 – S106

Issue 7 – CIL

Issue 8 – Other matters

Principle of the Development

10. The National Planning Policy Framework (The Framework) states that housing applications should be considered in the context of the presumption in favour of sustainable development. This means that development proposals that accord with the development plan should be approved without delay.
11. There is particular support for the provision of affordable housing in the Framework and through Policy 6 of the Central Lancashire Core Strategy.
12. The Inspector has issued her Partial Report on her findings into the soundness of the Chorley Local Plan, which is a material consideration in the consideration of any planning application.
13. In summary, the plan is considered to be legally compliant. In relation to soundness, the plan is considered sound, with the exception of matters relating to Gypsies & Travellers.

14. Paragraph 18 of the Partial Report states: "For the avoidance of doubt, the Plan may not be adopted until it has been changed in accordance with all of the main modifications set out in the Appendix to this partial report and any which may be specified in the Appendix of my forthcoming supplementary report. However, because of the very advanced stage in the examination process that the main modifications set out in the attached Appendix have reached, significant weight should be attached to all policies and proposals of the Plan that are amended accordingly, where necessary, except for matters relating to Gypsies and Travellers." The Council accepted the Inspectors modifications for Development Management purposes at its Executive Committee on 21st November 2013.
15. It is therefore considered that significant weight can be given to the policies and proposals of the emerging Local Plan, as amended by the main modifications.
16. The application site is located in the settlement area of Croston. The emerging Chorley Local Plan 2012 - 2026 states that within the settlement areas excluded from the Green Belt, and identified on the Policies Map, there is a presumption in favour of appropriate sustainable development.
17. The application site is a garage colony. There are no policy designations covering the site and therefore the principle of residential development for affordable housing on the site is acceptable, subject to other material planning considerations.

Design and impact on the character of the area

18. The proposal is for the erection of six two bedroom two storey terraced dwellings. The proposed dwellings would be of a fairly standard traditional design of a similar scale to other neighbouring properties that already exist. There are a range of properties types and styles in the area that have been developed over different periods of time resulting in mix of designs across the locality. The most consistent design feature is the scale of development with most properties being two storey terraced dwellings. As such, the proposed development would be compatible with the existing urban form.
19. It is noted that the density of the scheme would be around 40 dwellings per hectare. The preamble to Policy 6 in the Central Lancashire Core Strategy states that inner urban locations are typically built at 80-90 dwellings per hectare (dph), and suburban and rural locations at 25-35 dph and different densities are appropriate across different areas. The policy itself is more general in that it seeks to secure densities in keeping with local character, whilst also considering the efficient use of land. The 40 dph of the proposed development is not very much different from the 25 to 35 dph typically associated with suburban and rural locations. In addition to this the individual characteristics of the area must be considered. Croston itself is a village and the area of Croston in which the application site is located contains a significant number of terraced properties, which are typically high in density. On this basis the proposed development would not be out of keeping with the character and distinctiveness of the area in terms of its density and would balance with a relatively efficient use of land.
20. It is noted that the site is located to the rear of properties on Pear Tree Road, Dalton Fold and Moor Road. As such the proposed dwellings would not form a prominent feature of the area. The proposed development would, in any case, provide a physical improvement to the appearance of the site, which currently appears underused and rather dilapidated.
21. The garages located on the site appear to have been largely vacated resulting in a sense of abandonment, which detracts from the character of the area. It is acknowledged that an active use needs to be established on the site to address this. The proposal would result in the demolition and removal of the existing garages and miscellaneous detritus to make way for the proposed dwellings and associated garden curtilage, parking area and landscaping. The proposed development would therefore result in an overall improvement in the appearance of the site and would subsequently enhance the character of the area.
22. The development is therefore considered to be in accordance with Policy BNE1 of the emerging Chorley Local Plan 2012 - 2026 and has overcome the concerns regarding the impact on the street scene.

Impact on neighbour amenity

23. The application site is bounded by residential properties and a commercial car sales garage to north at Moor Road, and residential properties to the south and east on Pear Tree Road and to the west on Dalton Fold.
24. The proposed development is staggered in nature and results in plots 1 to 4 being located approximately 10m from the boundary with the residential properties to the rear at 32 and 34 Moor Road and around 35m from the properties themselves. This meets the Council's adopted interface distances and results in an acceptable relationship with no unacceptable impact on outlook, privacy or light. It is noted that there would be a 2.1m high fence on the boundary of the site, which would provide a good level of screening and privacy to both the existing occupiers of 32 and 34 Moor Road and future occupiers of the proposed properties.
25. Plots 5 and 6 would be located approximately 6.5m from the northern boundary, which at this point is shared with a commercial car sales garage. Although this is less than 10m there would be no loss of private residential amenity as the site is in commercial use.
26. Plot 1 would be located approximately 1m from the western boundary of the site. The side gable would be located at an angled position in relation to the boundary and rear elevations of the properties on Dalton Fold. The nearest property to the west at 7 Dalton Fold would be located approximately 10.6m from the front corner of the property at Plot 1. As the rear elevation of 7 Dalton Fold would face the corner and only part of the gable end at Plot 1 there would be no unacceptable impact on outlook or light in relation to this dwelling.
27. There would be no windows in the side elevation of Plot 1. There would be windows in the front elevation, however, there would be only obscure views of 7 Dalton Fold and indirect views of the property at 8 Dalton Fold, which would be around 15m away. As a result there would be no unacceptable impact on privacy in relation to properties on Dalton Fold. In addition a 2.1m high fence on the boundary of the site would provide a good level of screening and privacy to both the existing occupiers of Dalton Fold and future occupiers of the proposed properties.
28. The properties to the south at 28 and 30 Pear Tree Road would be located at least 25m away from the nearest facing windows to habitable rooms in the proposed dwellings and there would be a distance of at least 13m to the rear boundaries of these dwellings. This meets the Council's adopted interface distances and results in an acceptable relationship with no unacceptable impact on outlook, privacy or light. It is noted that there would be a 2.1m high fence on the boundary of the site, which would provide a good level of screening and privacy to both the existing occupiers of 28 and 30 Pear Tree Road and future occupiers of the proposed properties.
29. The property at 26 Pear Tree Road to the south east of the site would be located approximately 15m from the nearest proposed dwelling at Plot 6. There would be no parallel facing windows due to the relative positioning of the properties and no direct views over the rear garden at 26 Pear Tree Road due to the obscure angle between the windows in the front elevation of the proposed dwellings and the garden boundary to 26 Pear Tree Road. There would be no windows in the side elevation.
30. Due to the relative positioning of the proposed dwellings to the north west of 26 Pear Tree Road there would be no impact on light and along with the degree of separation there would be no unacceptable impact on outlook. In addition a 2.1m high fence on the boundary of the site would provide a good level of screening and privacy to both the existing occupiers of 26 Pear Tree Road and future occupiers of the proposed properties.

Impact on highways/access

31. The proposed development would result in six two bedroom dwellings. Off street car parking has been identified on the proposed site plan for twelve vehicles (two at each property) provided by designated parking spaces within the site. This meets with the adopted parking standards set out in relation to policy ST4 of the emerging Chorley Local Plan 2012 – 2026.

32. The development will be accessed via an existing vehicle access which extends approximately 45m from Pear Tree Road to the site. The existing access which seems particularly narrow at its junction with Pear Tree Road has no footways on either sides and therefore the carriageway will be shared by vehicles, cyclists and pedestrians. The ideal minimum width required for vehicles to overtake cyclists in comfort for cars passing at 20mph is 3.8m and it would appear that a large section of the access has met this requirement; It is noted that measures to control vehicle speeds to 20mph and below have been incorporated into the scheme in order to accommodate pedestrian/cyclist use.
33. The application submission includes a tracking model which shows that large vehicles cannot easily enter the access from Pear Tree Road in its existing layout. Therefore, the applicant proposes to alter the entrance of the access to include new kerb realignments. As part of the alteration, the applicant proposes a widening of the access on both sides of the entrance in a form of laybys where vehicles can safely pull-in to give way to oncoming traffic on one side and safely pull-out to exit the access on the other.
34. It is noted that 2.0m wide footways have been added along the widened access to link the footways of Pear Tree Road to the footpaths running in front of 26 and 28 Pear Tree Road. This will allow vulnerable pedestrians to identify the limits of safe spaces. The highways officer highlighted that there are risks posed to pedestrians and cyclists who may attempt to step on the carriageway from the rear of 28 Pear Tree Road as the rear fence is high and obscures visibility for drivers entering the car park and pedestrians and cyclists leaving the site. Appropriately positioned bollards have been incorporated into the proposal to ensure that vehicles entering the car park do not turn left immediately at the corner of the rear fence of 28 Pear Tree Road in order to avoid colliding with pedestrians/cyclists.
35. In considering the wider access arrangements it is noted that there are a number of bus services available from Moor Road within 300m of the site and a rail station on nearby Station Road providing direct rail access to Preston and Ormskirk. This provides the benefit of realistic sustainable transport alternatives.
36. It is noted that there are no objections to the proposal in principle from LCC Highways and that all recommendations have been accommodated with the scheme. It is therefore considered that there would be no harm to Highway Safety as a result of the proposed development, and that the site is in an accessible location.

Ecology

37. The site is predominantly made up of amenity grassland, buildings / hardstanding, and scattered trees. Areas of scrub and ruderal species, which are the first to colonise disturbed land, have developed along the site boundaries as a result of lack of management. The site as a whole is of low ecological value and is a typical previously developed, suburban site.
38. There are no tree species on site which are afforded statutory protection or are worthy of protection under a tree preservation order (TPO). Trees to be retained on site should be protected during any site clearance and construction works through the use of root protection areas.
39. The trees and scrub on site have potential to be used by foraging and breeding birds, however, the ecological survey states that the loss of these areas is unlikely to result in anything greater than a negligible impact on birds locally.
40. The application site is not of substantive ecological value. It is not designated for its nature conservation value and is considered to have only low potential to support any specially protected species or habitats.
41. A stand of Japanese knotweed was recorded on site through the ecology assessment. Site clearance and setting out, prior to treatment, could result in the disturbance and dispersal of invasive species throughout and off site and will therefore need to be eradicated prior to commencement of works on site in order to ensure that they do not spread across the site or onto

adjacent areas. It is recommended that a condition is attached to the grant of any planning permission requiring appropriate eradication in line with Environment Agency regulations.

Section 106 Agreement

42. The National Planning Practice Guidance was updated by Government on 28 November 2014 in respect of contributions for affordable housing and tariff style planning obligations. These measures were introduced to support small scale developers by reducing disproportionate burdens on developer contributions. The updated guidance confirms that such contributions should not be sought from small scale and self-build development. In particular, the guidance states that contributions should not be sought from developments of 10 units or less, and which have a maximum combined gross floorspace of no more than 1000m².
43. This development is for six dwellings, which is below the 10 unit threshold and also has a combined gross floorspace of less than 1000m².
44. In the case of this development there is no evidence at this time, which is directly related to the development, to seek a contribution towards public open space contrary to the national guidance.
45. It is noted that even if a contribution towards the off-site provision of public open space were required it is likely that this would impact on the viability of the proposed development by virtue of the scheme providing social rented housing units. As such a case for the non-payment of the public open space contribution would be required to confirm this.

CIL

46. The proposed development is CIL chargeable, however, social housing relief has been sought on the basis that the development is for affordable rented housing.

Other matters

47. Loss of parking for local residents: Although it is accepted that some local residents use the existing garage area for car parking, and that this opportunity would be lost as a result of the proposed development, the retention of the garage area for car parking was not a condition of the original application for the development of the estate (ref. 5/5/04180).
48. It is highly likely that a wheeled bins collection point on Pear Tree Road will result in some bins being left abandoned and not collected for days creating a nuisance and compounding the parking/congestion on the kerbside: Wheeled bins from the new properties will be collected from within the site itself and not from Pear Tree Road. All properties have specific spaces designed for bin storage in the rear garden areas with passageways to enable their removal and collection.
49. No details for either mitigation or compensation due to the loss of garages in private ownership: This is not a material planning consideration and is a matter that would need to be resolved with the Council's Property Services Team.

Overall Conclusion

50. The proposed development would have no unacceptable detrimental impact on the amenity of neighbouring occupiers and would result in an overall improvement in the appearance of the site and character of the area. In addition adequate parking is provided. On the basis of the above, it is recommended that planning permission be granted.

Planning Policies

51. In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Borough Local Plan Review 2003 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the proposals has had regard to guidance contained with the National Planning Policy Framework (the Framework), the development plan and the emerging Local Plan 2012-2026. The specific policies/ guidance considerations are contained within the body of the report.

Planning History

Reference	Description	Decision	Date
5/5/00766	Erection of two garages	PERFPP	November 1952
5/5/04180	Erection of dwellings	PERFPP	June 1963