

Item B. 3 **07/00108/OUT** **Permit (Subject to Legal Agreement)**

Case Officer **Miss Helen Green**

Ward **Lostock**

Proposal **Outline application for the erection of one detached two storey dwelling with a detached garage and a detached garage for The Gables**

Location **Land 30m North West Of The Gables 88 Station Road Croston**

Applicant **AS Estates Ltd**

Proposal The proposal is an outline application for the erection of one detached two storey dwelling with a detached garage and a detached garage for the Gables 88 Station Road Croston.

As part of this application details of layout and access have been submitted, all other matters (scale, appearance, and landscaping) are reserved for future consideration.

The application site is located within the rural settlement of Croston outside the confines of Croston Conservation Area. The application site lies on Station Road within the curtilage of the property known as The Gables at 88 Station Road Croston. This property was previously owned and used as the Doctors Surgery.

The Gables is a detached house, which is located close to the southern boundary of its curtilage. The proposed detached dwelling will be set back from The Gables close to the northern boundary of the site and sited partly to the rear of No.86 Station Road. As part of this application a new detached garage will be erected for the Gables and a detached garage for the proposed dwelling.

Planning Policy **GN4- Settlement Policy- Other Rural Settlements**
GN5- Building Design and Retaining existing landscape Features and Natural Habitats
HS4- Design and layout of residential developments
HS6- Housing Windfall Sites
TR4 – Highway Development Control Criteria
EP19 – Development and Flood Risk

Planning History No relevant planning history

Consultations **Lancashire County Council Highways** - No comments received at the time of writing report.

Environment Agency – The Agency has no objection in principle subject to the inclusion of conditions, which meet the following requirements:

The application site lies at the edge of Flood Zone 3. While the proposal is not within a flood risk area the application involves the

erection of a dwelling in a garden, which will subsequently, increase the impermeable area on site. To ensure that any increase in surface water run-off from the development site does not increase flood risk elsewhere the scheme should include the provision and implementation of a surface water regulation system to be approved by the Local Planning Authority.

Parish Council – No comments received

Representations

One letter of objection has been received from the neighbour at 86 Station Road, Croston.

Objections have been raised on the following grounds:

- The proposed development will not follow the existing building line;
- The position and height of the new property will overlook the rear of 86 Station Road;
- Loss of privacy;
- Other properties (including 86 Station Road) are smaller in height;
- Loss of light due to the height and scale of the proposed development;
- Noise and disturbance to the rear of the property;
- More vehicle movements passing close to the gable end of 86 Station Road;
- The proposed garage and turning area will be close to the rear garden boundary.

Assessment

In assessing this application the main issues to take into account are neighbour amenity, highway safety, accessibility, scale and layout and flooding.

The proposed detached dwelling will be located close to the northern boundary of the site to the rear of The Gables and No.86 Station Road. The footprint of the proposed dwelling will measure 110 s.qm. and the proposed garage will have a footprint of 30 s.qm. The proposed replacement garage for The Gables will have a footprint of 30 s.qm, which will replace the existing garage of 38 s.qm. The applicant has stated that although the application is made in outline the dwelling will be 2 storey with an eaves height of approximately 5 metres and a ridge height of 8 metres. The exact design of the dwelling will be considered at Reserved Matters stage.

The proposed detached dwelling will be located to the rear of No.86 Station Road, No.86 Station Road is a rendered cottage property, which fronts onto Station Road. The neighbour at No.86 Station Road has expressed concern over the proposed development in terms of loss of privacy and loss of light as a result of the development. In relation to this there will be a distance of approximately 30 metres between the proposed dwelling and the rear elevation of No.86. There will be a distance of 12.6 metres from the front elevation of the proposed dwelling and the garden boundary both of these distances accord with the Councils interface guidelines. During the course of the application the footprint of the proposed dwelling has been reduced which in turn will reduce the impact of the development on neighbouring

property. The exact design and height of the dwelling will be considered at Reserved Matters stage, however it is considered that one detached dwelling can be accommodated on the site without causing such a detrimental impact on neighbouring property.

There is an existing hedge and vegetation, which will provide a screen between the garden area of No.86 and the proposed dwelling. Additional planting will be provided adjacent to the entrance to the proposed property. The proposed detached garage will also be located on the boundary between No.86 and the detached dwelling which will further increase privacy. The garden area of the proposed dwelling will measure 21 metres wide and between 14 to 18 metres in length.

The Gables will retain a private rear garden, which will be 21 metres wide by 36 metres long. The proposed dwelling will be located approximately 14 metres to the rear of The Gables. Due to the orientation of The Gables the proposed dwelling will not directly face any habitable room window in The Gables. The proposed replacement garage for The Gables will increase the privacy between the proposed dwelling and The Gables.

Taking the above points into account it is considered that the proposed development complies with Policy HS6 and HS4 of the Chorley Borough Local Plan Review.

Vehicular and pedestrian access to the site will be from the existing access on Station Road. The existing access will be widened to allow for two cars to pass and the pedestrian vision splays will be improved by 2 metres. There is sufficient manoeuvring space provided within the site to enable vehicles to access and egress the site in forward gear. The neighbour at No.86 has expressed some concern regarding the number of vehicle movements past the gable end of the property and the turning area being in close proximity of the garden area. It is considered however that the number of vehicle movements per day would not increase so significantly to warrant a refusal of the application on this basis. The turning area for the proposed development will be screened by existing and proposed vegetation.

At the time of writing this report no comments have been received from Lancashire County Council Highways, however taking into account the above points it is considered that the proposed development would not unduly impact on highway safety.

The proposed development is located within the rural settlement of Croston within an existing residential area. Croston is a small settlement and as such employment, shops and services are accessible by non-car modes. Station Road is an existing bus route and the closest bus stop is located some 20 metres north of the site. It is considered that the proposed development complies with Policy HS6.

The surrounding area is predominantly residential in nature and therefore the principle of a detached dwelling is acceptable in this location. The surrounding properties are all different in size and scale including a mix of modest cottage style properties and larger detached dwellings. After discussion with the applicants agent it

has been agreed to reduce the scale of the proposed dwelling to a footprint similar to that of neighbouring property The Gables, amended plans were received on 19th March. It is considered that due to the reduction in footprint of the proposed dwelling it will sit more comfortably with surrounding properties in terms of scale and layout.

Although the application site does not lie within a Flood Zone, the garden area of the proposed dwelling will abut Flood Zone 3. The Environment Agency have been consulted as part of this application and have no objection to the proposal subject to a number of conditions relating to the provision of a surface water regulation system to be approved by the Local Planning Authority.

In June 2003 the Council resolved to amend its policy on the planning and provision of equipped play areas associated with new housing developments. This is an interim change pending the production of Supplementary Planning Guidance, which is intended to form a more substantial review. Therefore a financial contribution towards equipped play space is required in respect of the scheme and the proposal is subject to a Section 106 Agreement.

Conclusion

It is considered that the proposed development complies with the relevant policies of the Adopted Chorlet Borough Local Plan Review and that any impact on neighbouring property would not be so significant to warrant a refusal of the application. It is therefore recommended that outline permission be granted subject to a Section 106 Agreement.

**Recommendation: Permit (Subject to Legal Agreement)
Conditions**

1. Application for approval of the reserved matters must be made to the Council before the expiration of three years from the date of this permission and the development hereby permitted must be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

2. Before the development hereby permitted is first commenced, full details of the following reserved matters (namely scale, appearance and landscaping shall be submitted to and approved in writing by the Local Planning Authority.

Reason: The permission is in outline only.

3. This consent relates to the following plans:

Plan Ref.	Received On:	Title:
03	19 th March 2007	Proposed site layout for a detached dwelling
02	19 th March 2007	Topographic Survey;
01	19 th March 2007	Site Location Plan

Reason: To define the consent and to ensure all works are carried out in a satisfactory manner.

4. The application for approval of reserved matters shall be accompanied by full details of existing and proposed ground levels and proposed building slab levels (all relative to ground levels adjoining the site), notwithstanding any such detail shown on previously

submitted plan(s). The development shall only be carried out in conformity with the approved details.

Reason: To protect the appearance of the locality, in the interests of the amenities of local residents and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

5. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected (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 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, to provide reasonable standards of privacy to residents and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.

6. 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 and in accordance with Policy Nos. EP17 and EM2 of the Adopted Chorley Borough Local Plan Review.

7. No development shall take place until details of the proposed surface water drainage arrangements have been submitted to and approved by the Local Planning Authority in writing. No part of the development shall be occupied until the approved surface water drainage arrangements have been fully implemented.

Reason: To secure proper drainage and to prevent flooding and in accordance with Policy Nos. EP18 and EP19 of the Adopted Chorley Borough Local Plan Review.

8. Before the development hereby permitted is first commenced full details of the means of foul water drainage/disposal shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the works for foul water drainage/disposal have been completed in accordance with the approved details.

Reason: To ensure proper drainage of the development and in accordance with Policy No. EP17 of the Adopted Chorley Borough Local Plan Review.

9. The layout of the development shall include provisions to enable vehicles to enter and leave the highway in forward gear. This vehicular turning space shall be laid out and be available for use before the development is first occupied.

Reason: Vehicles reversing to and from the highway are a hazard to other road users and in accordance with Policy No TR4 of the Adopted Chorley Borough Local Plan Review.

10. The development hereby permitted shall not commence until full details of the colour, form and texture of all external facing materials to the proposed building(s) (notwithstanding any details shown on the previously submitted plan(s) and specification) 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, HS4, of the Adopted Chorley Borough Local Plan Review.

11. The garages hereby permitted shall only be used for purposes incidental to the enjoyment of the dwellinghouse, including the parking of cars. The garage shall not be used for any trade or business purposes.

Reason: In order to safeguard the residential amenity and character of the area and in accordance with Policy Nos. DC8A, DC8B, HS4 and HS9 of the Adopted Chorley Borough Local Plan Review.

12. The development hereby permitted shall not commence until full details of the colour, form and texture of all hard ground-surfacing materials (notwithstanding any such detail shown on previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in conformity with the approved details.

Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policy Nos. GN5, HS4 of the Adopted Chorley Borough Local Plan Review.

13. Notwithstanding the Provisions of the Town and Country Planning (General Permitted Development) Order 1995, (Schedule 2, Part1, Classes A to E), or any order amending or revoking and re-enacting that Order, no alterations or extensions shall be undertaken to the dwelling(s) hereby permitted, or any garage, shed or other outbuilding erected (other than those expressly authorised by this permission).

Reason: To protect the appearance of the locality and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.

14. The reserved matters for the dwelling hereby permitted in outline shall not include any windows in the north and south facing elevations of the dwelling at first floor level.

Reason: In the interests of the privacy of occupiers of neighbouring property.

15. 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.

16. 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.
