

3f 15/00361/FULMAJ

Case Officer Caron Taylor

Ward Chorley East

Proposal Demolition of single storey element of existing building and proposed conversion of remaining building (with some external alterations) to create 5 no. flats and erection of two and a half storey new build block to create 8 no. flats including new access from Stratford Road, parking provision and associated facilities.

Location Shaftesbury House Short Stay School
Stratford Road
Chorley
PR6 0AF

Applicant Mr Edward Barnard

Consultation expiry: 26th June 2015

Decision due by: 16th July 2015

Recommendation
That the application is approved.

Representations

In total 8 representations have been received which are summarised below
Objections: 6 and another 3 further objections following notification on the amended plans
<ul style="list-style-type: none"> • Concern that this proposal will lead to parking problems on Stratford Road and surrounding areas. It won't be able to cope with an increase in residents. When cars double park, ambulances and emergency vehicles as well as refuse collectors cannot get through; they had all these problems when it was a school which are now greatly improved; • Not enough parking is proposed; • The proposed plan will result in a loss of parking spaces for existing residents; • The entrance is in an awkward place just as you turn into Stratford Road and is already a bottleneck. • Concern as to what type of tenant these properties are aimed at and how future resale value of existing properties may be affected; • Object to change of use from a school - there is a significant lack of primary school places in good performing schools in the area; • Concerns re potential residents if for social housing or cheap private renting re: crime; • Overlooking; • Two and a half storey flats will block natural light; • Flats do not fit in with the local community; • The grounds will be lit up constantly at night, which may light up bedrooms; • The school was very quiet; • Trees have been felled on the site without permission; • The landscaping has been removed on the south boundary of the site and it should be reinstated; • The bat report is incorrect in its findings witnessed bats on numerous occasions, therefore a construction programme which takes account of the roosting habits of bats must be adopted

On the amended plans:

- The amended plan is less acceptable than the original one. The new build flats should be turned through 90 degrees so they do not overlook the properties on Stump Lane and Stratford Road;
- The amended parking arrangement is unacceptable as it leaves no planting along the southern boundary where the previous landscaping has been removed;
- The moving of the [new build] flats such a small distance away from the rear of the properties on Stump Lane will not make any difference at all;
- The use of frosted glass in the windows is ridiculous – they will still be able to open and look into properties;
- The addition of the communal garden is going to create more noise and disturbance;
- A line of shrubs would be better to block the flats;
- The entrance from the alleyway into the back of the flats was not recommended by Highways and is not adopted road and is partially owned by the residents so why is it still on the plans?;
- The buildings and car park will be lit which will disturb their children's sleep.

Consultees

Consultee	Summary of Comments received
Police Architectural Liaison Officer	<p>State they have conducted a crime and incident search of this policing incident location and during the period 30/04/2014 to 30/04/2015 there have been reports of criminal activity including criminal damage and vehicle crime. In order to prevent the opportunity for crime and disorder at the scheme they make a number of security recommendations which have been passed to the agent.</p> <p>In terms of the plans they state the flats have been provided with private amenity space. This should be clearly defined and secured as private space with a fence arrangement such as close boarded timber up to 1.8m.</p> <p>There are a number of access points down the side and rear of each of the apartment blocks. Movement along these areas must be restricted with a 1.8m gate arrangement with access provided for residents only.</p>
Council's Waste Officer	States they are happy with the proposal for bin storage on the amended plans.
Council's Planning Policy Team	<p>The Open Space and Playing Pitch SPD was adopted for development control purposes at the Council meeting on 17th September 2013. Therefore, these comments are based upon the standards within emerging Local Plan Policies HS4A and HS4B and the approach in the SPD.</p> <p>The obligations are as follows (sites as identified in the Central Lancashire Open Space Study, Final Open Space Audit Report, May 2012):</p> <p><u>Amenity Greenspace</u> A contribution of £1,820 towards improving the quality/value of the following site as identified in the Central Lancashire Open Space Study, Final Open Space Audit Report, May 2012: Site 1941 – Primrose Street</p>

	<p><u>Provision for children/young people</u> A contribution of £1,742 towards improving the quality/value of the following site as identified in the Central Lancashire Open Space Study, Final Open Space Audit Report, May 2012: Site 1330.2 – Tatton Recreation Ground</p> <p><u>Allotments</u> A contribution of £195 towards provision of new allotments at the following site allocated in the Chorley Local Plan 2012-2026: HW5.2 - Land at Sylvesters Farm, Euxton</p> <p><u>Playing Pitches</u> A contribution of £20,787 towards the improvement of existing playing pitches in the Borough as identified in the Chorley Action Plan within the Central Lancashire Playing Pitch Strategy & Action Plan, June 2012.</p>
Lancashire County Council Highways	<p>It appears the parking for the ground floor of the existing property is to be accessed from the alley to the rear of 36-52 Stump Lane. Highways find this access unacceptable, as there seems to be scope within the development to allow the two spaces to be accessed from the proposed new access. The alley is not an adopted highway and currently privately maintained. It is partly shown within the applicant's boundary, but the greater section does not appear to be within the applicant's control. There are no rear garages within the alley and is mainly used as walkway by frontagers to access the rear of their properties. The alley has restricted visibility at its entrance to Stratford Road and although there are signs of previous vehicular use, this appears to be by occasional delivery and service vehicles requiring access. The applicant's proposal however is for a regular access to the property which potentially raises safety concerns. If use of the alley is permitted, vehicles may access and exit the site to the detriment of pedestrian safety in the easterly direction through the access between 52 and 54 Stump Lane.</p> <p>Due to the difference in ground level, the applicant should ensure that the use of the proposed bin store at the existing pedestrian access does not involve residents having to lift bins.</p> <p>LCC Highways requested amendments to the access point to prevent conflict between it and the public right of way. 19 parking spaces were originally shown which they found acceptable but request one was marked as a disabled space. They also requested that the cycle and motorcycle storage should be covered and secure. These amendments have been made to the scheme.</p>
United Utilities	Have no objection to the proposal subject to conditions requiring foul and surface water drainage details to be submitted.

Assessment

Existing Site and Proposal

1. The site and buildings on the site are currently vacant having been last used as a short stay school for pupils who had been excluded from main stream education.

2. The main building on the site is a three-storey Edwardian villa which has been extended with two large flat roof single storey modern extensions. There is an all-weather pitch and play area that will be removed as part of the proposals.
3. The application proposes to retain the Edwardian building and convert it into five flats, demolish the modern extensions and build a new block of eight flats in a new two and a half storey block. A new access to the site will be created off Stratford Road with a new car park for residents.

Principle of the Development

4. The application site is identified as within the settlement of Chorley in the emerging Local Plan 2012-2026 where there is a presumption in favour of appropriate sustainable development, subject to material planning considerations and the other Policies and Proposals within the Plan.
5. Policy BNE1 covers Design Criteria for New Development and states that planning permission will be granted for new development, including extensions, conversions and free standing structure, provided that, where relevant to the development the following criteria are met:
 - a) The proposal does not have a significantly detrimental impact on the surrounding area by virtue of its density, siting, layout, building to plot ratio, height, scale and massing, design, orientation and use of materials.
 - b) The development would not cause harm to any neighbouring property by virtue of overlooking, overshadowing, or overbearing;
 - c) The layout, design and landscaping of all elements of the proposal, including any internal roads, car parking, footpaths and open spaces, are of a high quality and respect the character of the site and local area;
 - d) The residual cumulative highways impact of the development is not severe and it would not prejudice highway safety, pedestrian safety, the free flow of traffic, and would not reduce the number of on-site parking spaces to below the standards stated in Site Allocations Policy – Parking Standards, unless there are other material considerations which justify the reduction;
 - e) The proposal would not adversely affect the character or setting of a listed building and/or the character of a conservation area and/or any heritage asset including locally important areas;
 - f) The proposal would not have a detrimental impact on important natural habitats and landscape features such as historic landscapes, mature trees, hedgerows, ponds and watercourses. In some circumstances where on balance it is considered acceptable to remove one or more of these features then mitigation measures to replace the feature/s will be required either on or off-site;
 - g) The proposal would not cause an unacceptable degree of noise disturbance to surrounding land uses;
 - h) The proposal includes measures to help to prevent crime and promote community safety.
6. These aspects are considered in the sections below, but if found to be satisfactory the proposal is acceptable in principle.

Design and Layout

7. As part of the conversion of the main Edwardian building on the site the existing chimneys will be removed along with the existing external metal fire escape staircase. The window and door openings on the building will be altered and the existing single storey outbuilding

attached to the rear of the property incorporated into the building to provide a larger floor area to one of the ground floor flats. There will be two flats on the ground floor, two on the first floor and one on the third floor/in the roof space. Overall the proposal will improve the look of the building, removing unsightly flat roof extensions and a metal fire escape that is very prominent in the streetscene.

8. The new build flats will sit alongside the main building to be retained with their front elevation facing south. The flats will be two and a half storeys high, utilising the room in the roof with pitched roof dormers in the front roof plane and roof lights in the rear roof plane. The building will be approximately 10.4m to ridge, approximately 0.5m lower than the main building with an eaves height that matches. The main entrance of the flats will be via two single storey porches on the front elevation.
9. The land around the sides and rear of the flats will be landscaped and subdivided to provide amenity space, some will be private for individual flats and others areas will be shared between several flats following the removal of an existing fuel tank and associated bund walls and the removal of the existing fencing surrounding the playground/all-weather pitch.
10. The layout is considered acceptable, the comments of a neighbour regarding turning the new build block through 90 degrees are noted, however it is not considered this would be acceptable as the proposal would then not meet the interface distance in terms of the adjacent land (effectively sterilising it from any future development) or the main building creating loss of privacy.
11. In terms of boundary treatments the plans show that the existing boundary wall will be maintained along the frontage with Stratford Road apart from a section where it will be cut back to where the existing gate and steps are to allow the access point to be created. The proposed bin store will be located behind this wall so only the side of it will be visible from Stratford Road at the access point. On the southern boundary, up to the new access point and on the west boundary the existing railings are to be retained unless an alternative is agreed, which can be covered by a condition. On the rest of the west boundary the existing brick boundary wall is to be retained and on the north boundary the existing concrete post and timber panel fence is to be retained and made good where necessary. The existing metal access gate on this boundary will be replaced with new timber gates.
12. In relation to the Police Architectural Liaison Officer comments, fencing is proposed at the side and rear of the apartment blocks to only allow access for residents. Regarding the amenity space, these are also proposed to be fenced.
13. It is considered acceptable external materials for the new build element of the proposal can be covered by a condition.
14. The design and layout of the proposal is therefore considered acceptable.

Impact on the neighbours

15. As part of the proposals some of the doors and windows in the main building to be converted will be amended. Changes to ground floor windows will not impact on nearby properties as they are separated by boundary walls or fences. The window openings in the rear elevation at first and second floor, facing the rear of the properties on Stump Lane, will remain the same as existing and will serve a bathroom and kitchen. These windows are proposed to be obscure glazed. Comments regarding these in relation to overlooking are noted, however they are also shown to have top opening lights only. It is considered that obscure glazing and top opening lights are sufficient to prevent overlooking to the properties at the rear and these measures can be controlled by a condition.
16. The windows in the side (west) elevation facing Stratford Road will remain as exist, apart from changing a window at ground floor to a door.

17. The windows in the front (south) elevation will remain the same as existing (facing towards the side elevation of no. 12 Stratford Road), as will the side (east) elevation, however with the demolition of the modern single storey extensions the ground floor of the east elevation of the building will be uncovered. A door and high level window will be inserted here.
18. Overall, the windows in the building to be converted will remain largely as exists and where new windows are to be added it is not considered they will have an unacceptable relationship with the surrounding properties.
19. The new build block will face the same way as the existing building with its front elevation facing south. The block has been moved slightly further south on the site to ensure the windows comply with the Council's interface distances in relation to the rear of the properties on Stump Lane and their rear gardens.
20. To the south of the site is no.12 Stratford Road which is side onto the site and the properties on Epping Place. These are separated from the application site by a ginnel which is a public right of way and the relationship of the new build flats with these properties also complies with the interface distances. No windows are proposed in the east or west elevations.
21. The relationship of the new build flats with the surrounding properties is therefore considered acceptable.
22. In terms of noise and disturbance, the immediate surrounding area is largely residential although Chorley and District Mencap Centre is immediately behind the site to the east. It is considered that introducing a residential development into the area is appropriate to the existing neighbouring land uses which are also largely residential. It is considered that gardens for the residents of the flats are an appropriate use to be near the rear gardens of the properties on Stump Lane. A condition requiring a Construction Management Plan to be submitted is proposed regarding hours of construction, contractor parking etc. given the surrounding residential properties.
23. In terms of lighting the car park may be lit but this is to the front of the proposed properties, if does not bound with the properties on Stump Lane. Future residents of the properties may also choose to erect lighting to their properties e.g. security lighting, but this is not unusual and is something found in most residential areas and on many properties in the borough. It is generally not something that requires planning permission.
24. The comments of the neighbour regarding the removal of vegetation within the site on the south boundary are noted. However, no consent was required to remove it and it could have been removed at any time, whether or not there was a planning application. The proposal shows the proposed parking against the southern boundary of the site but it will be separated from the residential properties to the south by the existing railings that are to be retained, the ginnel which is over 2.5m wide and the boundaries to the gardens of these properties. This relationship is therefore considered acceptable.

Open Space

25. There is a requirement for a financial contribution towards public open space as set out by the Planning Policy Team this will need to be secured through a Section 106 agreement.

Community Infrastructure Levy (CIL)

26. The application is for flats, which are not CIL liable.

Ecology

27. A bat survey has been submitted with the application. The comments of a neighbour on this matter are noted, however it has been reviewed by the Council's Ecology advisor. They state although conducted at a sub-optimal time of year to detect bats, it was carried

out by a very experienced surveyor and was proportionate to the somewhat limited potential of the building to support bats. They therefore accept the conclusions of the survey report; these were that no bats or signs of bats were found and that the development of the building could be undertaken without any impact on bats. They therefore have no objections to the application on nature conservation grounds.

28. They do however advise that bats can, and do, turn up in unlikely places. If bats are found at any time during any permitted works then works must cease immediately and advice sought from a suitably qualified person about how best to proceed. This can be covered by a condition.
29. There are no trees on site that would be affected by the proposal. As noted by a neighbour trees were removed from the site prior to an application being submitted.

Flood Risk and Drainage

30. The site is not in Flood Zone 2 or 3 as identified by the Environment Agency and is not over 1 hectare in size. A Flood Risk Assessment is not therefore required.
31. The conditions requested by United Utilities requiring details of foul and surface water drainage to be submitted are proposed.

Traffic and Transport

32. The application proposes a new vehicular access into the site from Stratford Road along with the creation of 20 parking spaces. One of these will be a disabled space and one will be accessed from the alley way to the rear of the building (see below) to serve flat no. 2.
33. In line with the Council's parking standards set out under policy ST4 of the emerging Local Plan 2012-2026 the scheme is required to have 18 parking spaces. The proposal therefore complies with this policy. In addition it is considered the spaces will be used more efficiently than if they were allocated to individual dwellings as it will allow any of the spaces to be used by any of the flats or visitors to them. It is not considered therefore that the proposal will result in unacceptable parking on Stratford Road.
34. The access point has been moved slightly further north on the site at the request of LCC Highways so the radius of the junction does not interfere with the footway on Stratford Road where the public right of way emerges from the ginnel.
35. There is an existing gate from the alleyway to the north of the site into the application site. This access point into the site is to be maintained (with a new gate) into what will be the amenity space for flat no. 2 and provide one parking space for this flat. This comments of Highways regarding this access are noted, however it is not considered that the application could be refused on these grounds as it is an existing access point into the site that has in the past been used by vehicles and the creation of a new access to the south of the building along with parking for residents is likely to reduce the amount of vehicles using the rear access than used it when it was in use as a school. If the occupier of flat no. 2 decides not to use this space there are still sufficient spaces in the car park to the front of the property for this flat.
36. In terms of bin collection the Council's Waste and Contaminated Land Officer was initially concerned that one of the proposed bins stores was shown positioned to the west of the site. This would have required the bin wagon to reverse into the site to collect the bins but it may not have been able to get the swing required to do this due to parked cars on Stratford Road. The amended access point has allowed the bin store to be moved so it is immediately adjacent to the access point and therefore the bin wagon will not need to reverse into the site. The Council's Waste and Contaminated Land Officer is now happy with the waste collection details.
37. Cycle and motorcycle parking has been amended so it is shown to be provided in a secure covered area (as requested by Highways) adjacent to the access point, full details of this can be covered by a condition.

Coal Mines

38. The site is in a Low Risk Area as identified by The Coal Authority. This requires an informative note to be placed on any permission.

Sustainable Resources

39. Policy 27 of the Core Strategy requires new dwellings to be built to Level 4 of the Code for Sustainable Homes rising to Level 6 from January 2016.

40. A Ministerial Statement on the 25th March announced that the Code for Sustainable Homes had been withdrawn, however, it also sets out transitional arrangements which includes local planning authorities being able to continue to set and apply policies in their Local Plans which require compliance with energy performance standards that exceed the energy requirements of Building Regulations (but not above a Code Level 4 equivalent) until commencement of amendments to the Planning and Energy Act 2008 (which may be next year when the Building Regulations are updated). From then onwards energy performance requirements will be set in Building Regulations.

41. Compliance with the Code can therefore no longer be required however in accordance with the transitional arrangements the Council still require an energy efficiency standard equivalent to Code Level 4 which is a 19% improvement over 2013 Building Regulations. This can be controlled by conditions.

Overall Conclusion

42. The different aspects of the proposal have been found to be acceptable. The proposal is therefore considered to comply with the criteria of policy BNE1 of the emerging Local Plan 2012-2016 and is therefore considered acceptable and recommended for approval subject to conditions.

Planning Policies

43. 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

44. There is no planning history relevant to the current application. The recent history on the site relates to its previous use.

Suggested Conditions

No.	Condition
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