

Item B. 5 **07/00177/FUL** **Permit Full Planning Permission**

Case Officer **Caron Taylor**

Ward **Clayton-le-Woods And Whittle-le-Woods**

Proposal **Erection of detached dwelling and garage**

Location **Land Rear Of 209 To 213 Preston Road Whittle-Le-Woods
Chorley**

Applicant **Lawson Margerison Partnership**

Proposal: The application is for the erection of a detached dwelling and attached garage.

Background: The site is situated at the end of St. John's Close, Whittle-le-Woods but accessed via a track from Preston Road. The site is elevated compared to the adjacent properties on St. John's Close but is significantly lower than the properties on Preston Road that back onto the site. To the north of the site are the grounds and churchyard of St. John the Evangelist Church a grade II listed building.

Planning History: There have been a number of planning applications for a dwelling on this site:

05/00443/REM Reserved matters permitted 17 June 2005
Reserved Matters Application for a detached house and garage

05/00237/OUT Outline permission refused 14 April 2005
Outline application for the erection of 1 detached dwelling and garage (renewal of outline planning permission 9/02/099/OUT),

02/00099/OUT Outline permission granted 30 April 2002
Outline application for the erection of 1 detached dwelling and garage (renewal of outline planning permission 9/99/091/OUT),

99/00091/OUT Outline permission granted 30 March 1999
Outline application for the erection of one detached dwelling and garage,

There have been two outline permissions granted for a single dwelling on the site in 1999 and 2002. In April 2005 (ref: 05/0237/OUT) a renewal of this outline consent was refused on the grounds that it would not be appropriate to allow a further extension of 3 years to the permission as it would have conflicted with the policies in place at that time preventing a housing oversupply in the Borough.

The applicant therefore reverted to the extant outline permission granted in April 2002 (ref: 02/00091/OUT) and submitted a reserved matters application before it expired. Reserved matters were permitted in June 2005. This permission is still extant.

Planning Policy: GN1: Main Settlement Policy
GN5: Building Design

HS6: Housing Windfall Sites

Consultations: Whittle-le-Woods Parish Council have concerns that the development of this land will cause parking problems on the A6, as the land is currently being used as a car park by the owners business. They would like to know if alternative parking arrangements have been made, and if they have what they are.

Representations: None received.

Assessment: Principle of a Dwelling

There is planning permission on this site for a single dwelling with a detached garage, which could still be implemented. This is a material consideration in determining this application.

The Council did have restrictions on new dwellings in place to prevent a housing oversupply in the Borough in the form of Interim Supplementary Planning Guidance. However, this has ceased to be in use since November 2006 and the proposal would not therefore lead to a housing oversupply. The principle of a dwelling on this site is therefore acceptable.

Neighbour Amenity

The main issue is that of neighbour amenity as there is a land level difference between the application site and the adjacent dwellings. The site is elevated compared to the neighbouring properties nos. 4, 5 and 6 St. John's Close.

The reserved matters application approved in 2005 (ref. 05/00443/REM) dealt with design and external appearance and carefully considered the amenities of these neighbouring properties. The applicants were asked to reduce the overall height of the dwelling and reduce its roof mass. They were also asked to address issues of potential first floor window overlooking of adjacent garden areas. The roof form was therefore changed from a gable and the eaves level was lowered. A projecting bay window was also given a deep cill recess to avoid anyone standing in the window looking into neighbouring gardens.

The plans submitted for this application are largely the same as those approved by reserved matters application 05/00443/REM detailed above, except the dwelling itself is 1m deeper at the rear, there is an extra ground floor window in the rear elevation serving the lounge and an extra window in the east elevation serving a WC. Overall, it is considered that the design of the dwelling would not have an unacceptable impact on the neighbouring properties, particularly no. 6 St. John's Close. Although the proposed dwelling will project an extra 1m at the rear, the windows serving habitable rooms in no. 6 face the front and rear of the property.

There will be no impact on the properties to the east on Preston Road that back onto the site, as they are at a significantly higher level than the application site.

Design and Appearance

The design of the proposed dwelling is similar to the properties in St. John's Close. Although these dwellings have gabled roofs and the dwelling now proposed has a hipped roof, this reduces the impact on the neighbouring property, which is considered important due to the difference in land levels between the

application site and surroundings.

The rear of the dwelling will look onto St. John's Close, however the dwelling will appear at a lower level due to the land that will form the rear garden being higher than that where the dwelling will be situated.

Highways

The Parish Council have raised concerns about the proposal causing parking problems on the A6 as the office on Preston Road uses the land as a car park. However, as there is already planning permission for a dwelling on the site that could still be implemented, it is considered that this, along with issues of highway safety can only be given limited weight as the principle of a dwelling on the site has already been established.

Commuted Sum

As this is a new dwelling there is a requirement for a financial contribution towards equipped play space of £2321. This can only be secured through a Section 106 agreement.

Conclusion:

The fact that there is an extant permission for a dwelling on this site must be given substantial weight in determining this application. Although the Parish Council have raised issues regarding parking in the site, the principle of a dwelling has already been established in that the permission granted in 2005 could still be implemented. The design of the dwelling is considered acceptable to protect the amenities of adjoining residents. The application is therefore recommended for approval subject to the signing of a Section 106 agreement for a financial contribution towards equipped play space and details of fencing and materials. Due to the difference in land levels between the site and the neighbouring property it is considered necessary to remove the permitted development rights of the property to ensure any future extensions will not have a detrimental impact on neighbouring properties or the streetscene as the rear of the property backs onto St. John's Close.

Recommendation: Permit (subject to s106 agreement)

Conditions

1. The proposed development must be begun not later than three years from the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2. 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 and HS4 of the Adopted Chorley Borough Local Plan Review.

3. All planting, seeding or turfing comprised in the approved details of landscaping (as shown on drawing no 07/002/P01) 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.

4. The submitted fencing and access gate details under the scope of the approved plans identified shall be implemented prior to the first occupation of the approved dwelling; the fencing shall be stained or painted in accordance with a scheme to be agreed with the Local Planning Authority upon its erection.

Reason: In the interests of visual and residential amenity in the locality and to accord with the provision of policies GN5 of the Adopted Chorley Borough Local Plan Review.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (Schedule 2, Part 1, 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 the amenities of adjoining neighbours and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.

6. The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plan(s) or as may otherwise be agreed in writing with the Local Planning Authority before any development is first commenced.

Reason: To protect the appearance of the locality and 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.
