

Item 3n **15/00601/FUL**

Case Officer **Iain Crossland**

Ward **Clayton-le-Woods and Whittle-le-Woods Ward**

Proposal **Erection of detached dwelling with amendments to existing vehicular access and increased height of boundary wall**

Location **Two Corners Residential Care Home
179 Preston Road
Whittle-Le-Woods
Chorley
PR6 7PR**

Applicant **Mrs Nadia Ghaffoor**

Consultation expiry: **31 July 2015**

Decision due by: **21 August 2015**

Recommendation

It is recommended that this application is approved subject to conditions

Representations

Whittle Le Woods Parish Council - Have expressed concern only regarding the height of the wall. If it is to be over two metres tall, then the Parish Council would disapprove.

In total 11 representations have been received from 7 addresses which cite the following grounds of objection:

- Highway safety concerns due to increase in width of access and wall height increase.
- Impact on privacy through overlooking
- Impact on character of the area
- Potential to convert and introduce other uses
- No justification to fell trees.
- Any trees that are removed should be replaced

Consultees

Consultee	Summary of Comments received
Conservation Officer	Considers that the proposed development is acceptable and comments that it will preserve the appearance of the adjacent listed building and will sustain the significance of this designated heritage asset and that of the heritage assets, the locally listed buildings, on the opposite side of Preston Road.
LCC Highways Officer	Has no highway objection to the proposed development.

The Site

1. The application site comprises a previously developed vacant plot, following the demolition of the Two Corners Residential Care Home, located in a prominent location between the A6 Preston Road and Dawson Lane, within the settlement area of Whittle Le Woods. The site is approximately 0.17Ha in area and is characterised by mature trees, some of which are protected by Tree preservation Orders (TPOs), and a stone wall adjacent to the highway.
2. The recently demolished residential care home was a large white rendered building of traditional design, set in extensive gardens and with a vehicular access to the A6, which remains in situ.
3. The area is of a suburban character consisting of a range of dwelling types and designs spread along the A6. Although the majority of buildings in the area are faced in stone there are also examples of buildings faced in render, buff brick and red brick.

The Proposal

4. The proposed development involves the erection of a detached dwelling with amendments to the existing vehicular access and an increase in the height of the boundary wall.
5. The proposed dwelling would be largely sited upon the footprint of the previous building. The main body of the building would measure approximately 19m by 16m, with a flat roofed single storey projection to the south elevation to accommodate garage space. There would be a balcony over part of this single storey element with a 1m high balustrade. The dwelling would have a ridge and eaves height of approximately 9.4m and 6m respectively and would be faced in brick and natural stone with the roof laid in slate. The dwelling would have a traditional form with a number of contemporary features including full length windows.
6. The driveway would be resurfaced and realigned to create a parking area. The existing vehicular access to Preston Road would be widened by approximately 2.3m through altering the wall and extending the dropped kerb. The entrance gates would be set back by approximately 5m from the highway to allow for a vehicle standing area.
7. The existing boundary wall varies in height, and it is proposed to build the wall up to one consistent level to match the higher part of the wall.
8. It is proposed to remove four trees, none of which are protected, and two groups of immature trees.

Assessment

The main issues to consider are as follows:-

Issue 1 – Principle of development

Issue 2 – Impact on character and appearance of the locality

Issue 3 – Impact on neighbour amenity

Issue 4 – Impact on highways/access

Issue 5 – Impact on designated heritage asset

Issue 6 – Trees

Issue 7 – Section 106

Principle of the Development

9. The application site is located in the core settlement area of Whittle Le Woods. The 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.
10. Criteria (d) of Policy 1 of the Central Lancashire Core Strategy states that some growth and investment will be encouraged in specific Urban Local Service Centres to help meet local housing and employment needs. Whittle Le Woods is identified as one of the Urban Local Service Centres.
11. As such, the principle of the development is considered to be acceptable in this case, subject to other material planning considerations.

12. Policy BNE1 of the Local Plan 2012-2026 states that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that 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.

Design and impact on the character of the area

13. The proposed dwelling would be located on a large corner plot between Preston Road and Dawson Lane. It would have a ridge and eaves height of approximately 9.4m and 6m respectively, and would effectively form a two storey dwelling with accommodation in the roof space. It would be of an imposing scale appropriate to this particular corner plot, which is in a prominent location. The plot is large and Preston Road is characterised by large detached dwellings of bespoke design in this area. As such a large bespoke dwelling of this nature is consistent with the character of Preston Road.
14. The proposed dwelling would be faced in brick with stone detailing and features and the roof would be laid in slates. The brick type is not specified at this stage and it is recommended that the brick type to be used is confirmed by condition prior to the commencement of the development following the grant of any planning permission. Although it is noted that local sandstone is the predominant facing material used at buildings along this part of Preston Road, there are also examples of buildings faced in render, buff brick and red brick. As such the proposed dwelling, whilst appearing distinct, would include stone detailing that would reference the stone faced properties nearby. In addition to this the relatively isolated position of the site in relation to nearby dwellings would avoid the design and materials resulting in an incongruous appearance. It is noted that the use of brick is common throughout Whittle Le Woods and the site is not located in a conservation area.
15. The siting would be consistent with the position of the previous building that has been demolished and is consistent with other properties along Preston Road. Although the principal elevation of the dwelling would not face Preston Road, there would be a suitably detailed elevation facing the highway, which would help to maintain an active street frontage, and present an adequate level of design interest. It is also noted that many of the large detached dwellings along Preston Road do not face directly onto the road. As such the dwelling would be in keeping with the street scene and character of the area.
16. The increased width of the vehicular access would have little impact on the street scene, reflecting the type of vehicular access used at other properties along Preston Road. Raising the height of the wall to a consistent height using matching stone and copings would retain the existing character of the site, whilst improving the security of the site for the owners. This would not detract from the appearance or character of the area.
17. The development is therefore considered to be in accordance with Policy BNE1 of the Chorley Local Plan 2012 – 2026 and it is not considered that it will detract from or have an adverse impact on the street scene.

Impact on neighbour amenity

18. The application site is bound to the north by Dawson Lane, to the east by Preston Road, to the west by a woodland and to the south by The Lodge, 177 Preston Road, which is a commercial office.
19. The nearest property at The Lodge, 177 Preston Road is in commercial use as an office. As such there are no issues to consider in relation to private residential amenity.
20. The nearest neighbouring dwellings are all on the opposite side of Preston Road to the east and are located at least 30m away from the proposed dwelling. The proposed dwelling would have windows to habitable rooms at first and second floor facing 182 and 184 Preston Road. These windows would be located approximately 33m and 37m respectively from these dwellings which are separated by the road itself, and would not provide any views of the rear gardens at the properties. Any resultant impact on privacy is therefore considered to be acceptable by virtue of

the substantial degree of separation. Such a degree of separation also ensures that there would be no unacceptable impact on light or outlook.

21. The proposed dwelling would have windows to habitable rooms and a balcony facing south. The nearest residential dwellings to the south are at Dunscair and Half Moon House and are separated from the application site by the access to Shaw Hill Golf Club, the office at 177 Preston Road and numerous trees. The balcony would be located approximately 43m from Dunscair and 47m from Half Moon House and it would not provide any views of the rear gardens of these properties. Any impact on privacy is therefore considered to be acceptable by virtue of the substantial degree of separation. Such a degree of separation also ensures that there would be no unacceptable impact on light or outlook.
22. The dwelling at Lynwood would be located approximately 50m to the south of the proposed dwelling and the relationship with this property is also considered to be acceptable.

Impact on highways/access

23. The proposal involves the erection of a detached dwelling of more than four bedrooms and raising the height of the lower section of the existing boundary wall to the same level as the taller sections. It is noted that there is already an existing vehicular access to Preston Road from the site. This would be widened and reconfigured as part of this proposal. The site was previously occupied by a care home, which generated a higher level of traffic than a single residential property would, therefore the impact of this proposal on traffic movements would be less than that generated through the previous use of the site.
24. The boundary wall is adjacent a public highway, however, the existing footway along Preston Road would enable vehicles leaving Dawson Lane to sufficiently pull out to look out for hazards before undertaking turning manoeuvres. It is therefore considered that the proposal will not adversely impact upon visibility at Preston Road/Dawson Lane. The height of the proposed boundary wall is not fully detailed on the submitted plans, therefore it is recommended that this be confirmed through a condition requiring full details to be submitted for approval prior to the commencement of development.
25. The proposed dwelling requires three parking spaces to be provided. A double garage is proposed with the third space accommodated within curtilage which appears large enough to cater for the parking needs of the intended future expansion of the second floor of the building. It is noted that there is no maximum limit for the number of car parking spaces to be provided.
26. The applicant's proposal for altering the existing access is acceptable, but the distance along the centre line of the access from the back of the public footway to the proposed gate posts must not be less than 5.0m to prevent vehicles straddling the footway while waiting for the gate to be opened. The proposed site plans demonstrate that this would be achieved.
27. No objections have been raised by LCC Highways and it is therefore considered that there would be no harm to highway safety as a result of the proposed development.

Impact on designated heritage asset

28. The site is immediately to the north of the former lodge to Shaw Hill, which is a grade II listed building. It is also opposite 176 to 182 Preston Road, which are four cottages that are included on the Chorley Council Approved List of Locally Important Buildings, approved by the Council's Executive Cabinet on 29 March 2001.
29. The proposal is to erect a detached dwelling on the site. It is to be located in almost exactly the same position, and with a broadly similar footprint to the building that previously occupied the site.
30. There are a number of mature trees within and just outside the site, particularly on the northern and eastern sides such that much of the proposed dwelling will be screened from view.
31. The proposal also includes the raising the height of the boundary wall, which to some extent will screen views into the site from the opposite side of Preston Road.

32. The design chosen has a contemporary touch to a traditional form, which although taller than the previous building, is considered to be appropriate to the location where Preston Road includes a significant number of substantial villas. The design carefully allows for a lower element to be placed closest to the listed building, albeit with a roof terrace above the single storey section.
33. As such it is considered that the appearance of the listed building will be preserved and that the significance of this designated heritage asset will be sustained. Furthermore the appearance of the locally important buildings will be preserved and the significance with which they are imbued will also be sustained. As such it is considered that the proposed development accords with S.66 of the Planning (Listed Buildings & Conservation Areas) Act 1990.

Trees

34. It is noted that a number of trees on the site are protected either by an individual Tree Preservation Order (TPOs) or a group TPO. An Arboricultural Impact Assessment has been submitted by the applicant as part of the planning application. This identifies four trees and two groups of young trees to be felled as part of the development with a justification for their removal. The trees to be felled are also identified on the proposed site plan. These are assessed below:
35. T2 (Goat Willow) is not protected by a TPO. It has a short remaining life expectancy and is not considered worthy of protection. Felling is therefore considered to be appropriate.
36. T8 (Common Oak) is a dead stump 5m in height. This has very little amenity value and felling is considered appropriate.
37. T12 (Beech) is not protected by a TPO. It is heavily suppressed by a neighbouring tree and is not worthy of protection therefore felling is considered to be appropriate. The loss of this tree can be adequately mitigated through the provision of new tree planting with a suitable moderate to large growing species, and a condition is recommended to secure this.
38. T13 (Myrobalan Plum) is not protected by a TPO. It is not worthy of protection due to its low public amenity value therefore felling is considered to be appropriate. The loss of this tree can be adequately mitigated through the provision of new tree planting with a suitable moderate to large growing species, and a condition is recommended to secure this.
39. A group of 1no. Sycamore, 1no. Goat Willow, and 1no. Silver Birch is identified for removal. These are young self-seeded trees which make no contribution to public amenity or the character of the area. Felling is therefore considered to be appropriate.
40. A group of approximately 5no. elder trees is also identified for removal. These are young self-seeded trees which make no contribution to public amenity or the character of the area. Felling is therefore considered to be appropriate.
41. There is a large existing area of concrete hard-surfacing in the south-eastern corner of the site, which currently encroaches over the majority of the northern half of the calculated root protection area (RPA) of tree T1 and part of the RPA of tree T10, which are protected by TPOs. As adequate protection of the RPA of retained trees T1 and T10 will be necessary as part of this process, it is therefore essential that special working methods are employed to remove and replace the existing hard-surface. In this respect the current hard-surface over the RPA of trees T1 and T10 are to be carefully broken out and the existing levels below it retained as they are, with the new block paving set on top of the levels. It is recommended that a condition is attached to ensure this approach.

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 involves the erection of one dwelling, 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.

Other matters

45. Concerns have been raised about the potential to convert the dwelling and introduce other uses. However, this application is for the erection of a single dwellinghouse and has been assessed as such. The introduction of other uses is not indicated within this application and the introduction of other uses that are non-domestic residential uses would be subject to further assessment through the need to apply for planning permission.

Overall Conclusion

46. It is considered that the proposed development on this site is acceptable due to the sustainable credentials of the site and its characteristics along with the objectives of Policy 1 of the Core Strategy which encourages some growth in Whittle le Woods. The impact on the appearance and character of the area are acceptable as the dwelling is appropriately designed, is of an appropriate scale and relates well to the street scene. There will be no adverse impact on neighbour amenity or highway safety.
47. The impact on trees has been assessed with no protected trees identified for removal. In addition the significance of the designated heritage asset at the former lodge to Shaw Hill would be sustained.
48. The development is accordingly recommended for approval subject to conditions.

Planning Policies

49. 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 Local Plan 2012-2026 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) and the development plan. The specific policies/ guidance considerations are contained within the body of the report.

Planning History

Ref: 13/00516/DEMCON Decision: Approved Decision Date: 15 August 2013
Description: Demolition of vacant care home

Ref: 85/00310/FUL Decision: Approved Decision Date: 9 July 1985
Description: Change of use to rest home for elderly people

Ref: 81/00168/FUL Decision: Approved Decision Date: 6 April 1981
Description: Conversion of existing garages to games room and erection of new double garage

Suggested Conditions

No.	Condition
1.	<p>The proposed development must be begun not later than three years from the date of this permission. Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004</p>
2.	<p>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.</p>
3.	<p>Notwithstanding the details shown on the submitted plans, the proposed car parking and turning 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), unless otherwise agreed to in writing by the Local Planning Authority. Reason: In the interests of highway safety and to prevent flooding</p>
4.	<p>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 the approved plans) shall have been submitted to and approved in writing by the Local Planning Authority. The dwelling shall not 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. Reason: To ensure a visually satisfactory form of development, to provide reasonable standards of privacy to residents</p>
5.	<p>A scheme for the landscaping of the development and its surroundings shall be submitted prior to the commencement of the development. These details shall include 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, proposed finished levels, means of enclosure, minor artefacts and structures. Landscaping proposals should comprise only native plant communities appropriate to the natural area.</p> <p>All hard and soft landscape works shall be carried out in accordance with the approved details within 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.</p> <p>Reason: To ensure that a satisfactory landscaping scheme for the development is carried out to mitigate the impact of the development and secure a high quality design.</p>
6.	<p>Prior to the commencement of development samples of all external facing and roofing materials (notwithstanding any details shown on previously submitted plan(s) 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.</p>

7.	<p>The parking and garaging and associated manoeuvring facilities shown on the plans hereby approved shall be surfaced or paved, drained out and made available in accordance with the approved plan prior to the first occupation of the dwellings hereby permitted and such parking facilities shall thereafter be permanently retained for that purpose (notwithstanding the Town and Country Planning (General Permitted Development) Order 2015).</p> <p>Reason: To ensure provision of adequate off-street parking facilities within the site</p>
8.	<p>No development shall take place until details of the proposed foul and 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 foul and surface water drainage arrangements have been fully implemented.</p> <p>Reason: To secure proper drainage and to prevent flooding</p>
9.	<p>During the construction period, all trees to be retained shall be protected by 1.2 metre high fencing as specified in paragraph 8.2.2 of British Standard BS5837:2012 at a distance from the tree trunk equivalent to the outermost limit of the branch spread, or at a distance from the tree trunk equal to half the height of the tree (whichever is further from the tree trunk), or as may be first agreed in writing with the Local Planning Authority. No construction materials, spoil, rubbish, vehicles or equipment shall be stored or tipped within the areas so fenced.</p> <p><i>Reason: To safeguard the trees to be retained.</i></p>
10.	<p>The to removal and replacement the hard-surfacing located within the root protection area of trees T1, T10 and T11 identified on drawing number PL01B shall be undertaken using a 'no-dig' cellular confinement system method of construction or other similar method which have previously been agreed in writing by the Local Planning Authority.</p> <p><i>Reason: To ensure the continued protection of the trees</i></p>
11.	<p>All new dwellings are required to achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations.</p> <p>Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reduction as part of new residential schemes in the interests of minimising the environmental impact of the development.</p>
12.	<p>Prior to the commencement of the development details shall be submitted to and approved in writing by the Local Planning Authority demonstrating that each dwelling will meet the required Dwelling Emission Rate. The development thereafter shall be completed in accordance with the approved details.</p> <p>Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reductions as part of new residential schemes in the interests of minimising the environmental impact of the development. This needs to be provided prior to the commencement so it can be assured that the design meets the required dwelling emission rate.</p>
13.	<p>No dwelling hereby approved shall be occupied until a SAP assessment (Standard</p>

	<p>Assessment Procedure), or other alternative proof of compliance (which has been previously agreed in writing by the Local Planning Authority) such as an Energy Performance Certificate, has been submitted to and approved in writing by the Local Planning Authority demonstrating that the dwelling has achieved the required Dwelling Emission Rate.</p> <p>Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reductions as part of new residential schemes in the interests of minimising the environmental impact of the development.</p>												
14.	<p>The development shall be carried out in accordance with the following plans:</p> <table data-bbox="319 656 1307 779"> <thead> <tr> <th data-bbox="319 656 603 685">Plan Ref.</th> <th data-bbox="603 656 895 685">Received On:</th> <th data-bbox="895 656 1307 685">Title:</th> </tr> </thead> <tbody> <tr> <td data-bbox="319 685 603 714">PL01B</td> <td data-bbox="603 685 895 714">04 August 2015</td> <td data-bbox="895 685 1307 714">Location Plan and Site Plan</td> </tr> <tr> <td data-bbox="319 714 603 743">PL02A</td> <td data-bbox="603 714 895 743">23 July 2015</td> <td data-bbox="895 714 1307 743">Proposed plans and elevations</td> </tr> <tr> <td data-bbox="319 743 603 772">PL03B</td> <td data-bbox="603 743 895 772">04 August 2015</td> <td data-bbox="895 743 1307 772">Proposed plans and elevations</td> </tr> </tbody> </table> <p>Reason: For the avoidance of doubt and in the interests of proper planning</p>	Plan Ref.	Received On:	Title:	PL01B	04 August 2015	Location Plan and Site Plan	PL02A	23 July 2015	Proposed plans and elevations	PL03B	04 August 2015	Proposed plans and elevations
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