

<b>Item 3F</b>	<b>15/00723/FUL</b>
<b>Case Officer</b>	<b>Helen Lowe</b>
<b>Ward</b>	<b>Lostock Ward</b>
<b>Proposal</b>	<b>Erection of 4 no. two storey houses (2 pairs of semi detached)</b>
<b>Location</b>	<b>Land between 71 and 81 Station Road, Croston</b>
<b>Applicant</b>	<b>Northern Trust co, Ltd</b>
<b>Consultation expiry:</b>	<b>28<sup>th</sup> August 2016</b>
<b>Decision due by:</b>	<b>17<sup>th</sup> September 2015</b>
<b>Recommendation</b>	<b>Approve, subject to legal agreement</b>
<b>Executive Summary</b>	<b>The application site is located within the settlement boundary of Croston and is considered to form an infill plot as defined in policy HS7 of the Local Plan. The proposal is recommended for approval subject to a s106 agreement.</b>

## Representations

<b>Croston Parish Council</b> No comments received	
<b>In total two representations have been received which are summarised below</b>	
<b>Support</b>	<b>Not specified</b>
Total No. received: One	Total No. received: One
<ul style="list-style-type: none"> <li>Much more in character with Croston to have the car park spaces directly in front of the houses and be 2 storey</li> </ul>	<ul style="list-style-type: none"> <li>The soil level adjacent no. 71 is causing damp and mould, could it be reduced;</li> <li>Will the developer remove the ivy growing up no. 71;</li> <li>If the roots from any trees being felled have grown underneath 71 please will they be removed in such a way to protect 71 from any damage;</li> <li>Will permeable materials be used to pave alongside no. 71;</li> <li>In the event that the developers use piling or similar please will they use minimally invasive types to ensure no damage to 71;</li> <li>It is my intention to re-roof the outbuildings which are attached to 71 and raise the single storey section to 2 storey in line with the main outbuilding, the job may require scaffolding. Please would the developers allow sufficient space for scaffolding and grant permission</li> </ul>

## Consultees

<b>Consultee</b>	<b>Summary of Comments received</b>
Chorley Council Tree Officer	Area heavily overgrown with very dense bramble, access difficult. Area with self set trees mainly hawthorn with some elder, ash, willow, sycamore, age group young/semi mature. Trees of poor quality, recommend removal.
Chorley Council Waste and Contaminated Land Officer	Recommend the attachment of an informative regarding the addressing of any land contamination issues.
Chorley Council Planning Policy	
Environment Agency	Recommend the attachment of a condition requiring that the development should be carried out in accordance with the submitted flood risk assessment
Lancashire County Council Highways	Comments awaited

## **Assessment**

### Principle of the Development

1. The application site is an area of vacant land within the settlement boundary of Croston located between numbers 81 and 71 Station Road. Previously the site was occupied by a row of four cottages, however these have been demolished for some time and there is no evidence on the site of their presence. The application site is not located within Croston Conservation Area.
2. Members will recall that application 14/01272/OUT; an outline application for residential development (with all matters reserved apart from access) came before the Development Control Committee in June. It was resolved to grant approval, subject to a s106 agreement to secure a financial contribution towards the provision of public open space. The decision has not yet been issued for this application. This application proposes a revised layout and is submitted in full.
3. Croston is not identified as an area for growth in Core Strategy Policy 1. In accordance with criterion f) of Policy 1 development should typically be small scale and limited to appropriate infilling, conversion of buildings and proposals to meet local need, unless there are exceptional reasons for larger scale redevelopment schemes. Policy HS7 of the Local Plan sets out Chorley Council's approach to residential infilling in villages such as Croston.
4. Policy HS7 states that the following criteria should be met:
  - The existing buildings form a clearly identifiable built-up frontage;
  - The site lies within the frontage, with buildings on either side, and its development does not extend the frontage;
  - The proposal would complement the character and setting of the existing buildings.
5. There is a clearly identifiable built-up frontage along this part of Station Road, which accords with criterion a). The application site lies within the frontage, with buildings on either side, and its development would not extend the frontage. Therefore, the site accords with criterion b).
6. The Policy states that infill is the filling of a small gap in an otherwise built-up street frontage, e.g. typically a gap which could be filled by one or possibly two houses of a type in keeping with the street frontage. This proposal is for four dwellings in small gap, which exceeds this amount. However, the policy is not completely prescriptive on the number (it uses the word typically) and highlights that proposals should be in keeping with the street frontage. There are a variety of houses along Station Road, but it is dominated by terraced dwellings. Therefore, for any scheme to be approved it should be in keeping with the street frontage. Matters of design are addressed below.
7. The policy also states that when assessing rural infill sites, the Council will also have regard to site sustainability. This site is located in a central location in Croston, offering good access to its services and facilities. One of the core principles of the Framework is that planning should seek to encourage the effective use of land that has been previously developed, although it does not preclude the development of previously undeveloped land. One of the other core principles of the Framework is that development should be focussed in locations that are sustainable. It is considered that the site is located in a sustainable location with easy access to public transport, amenities such as shops and school nearby and the means to access other amenities easily. The Framework also states that development in sustainable locations should be approved without delay. This presumption in favour of sustainable development is reflected in policy V2 of the Local Plan.
8. It is therefore considered that the principal of residential development on the application site is acceptable, subject to an appropriate design being achieved. This is discussed below.

### Design and Appearance

9. Policy HS7 of the Local Plan states that proposals for infilling within smaller villages the proposal must complement the character and setting of the existing buildings. Policy BNE1 of the Local Plan also states that new development should not have a 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.
10. This part of Station Road in Croston is characterised by small clusters of terraced properties, many sited close to the pavement edge. The proposed site layout proposes that the front elevation of the proposed dwelling would be set back 8.2m from the edge of the pavement. It is considered that it would be preferable if the proposed dwellings were located closer to the road. However, in order to provide an adequate level of off street parking it is necessary to set the properties back within the site. There are other dwellings nearby on Station Road that are set back from the footpath edge.
11. Specific details of the materials to be used have not been provided; this would therefore be subject to the imposition of a condition requiring details to be submitted.
12. The eaves and ridge height of the proposed dwelling (at 5m and 7.7m respectively) would be higher than that of the dwellings to the south (the eaves height of the adjacent property immediately to the south, no. 81 is approximately 4.4m and the ridge height is approximately 6.4m). However, properties to the north are larger and there is considerable variation within this area of Croston. A gap of 1m is proposed adjacent to no. 71 and 81 Station Road. This, together with the setback of the properties would prevent a terracing effect.
13. It is considered that the proposed development would not appear unduly incongruous or dominant within the streetscene and that the design and appearance would be acceptable.

#### Neighbour Amenity

14. Policy BNE1 of the Local Plan states that new development must not cause harm to any neighbouring property by virtue of overlooking, overshadowing, or by creating an overbearing impact. The application site is bounded to the north and south by other residential properties.
15. To the north the application site is bounded by the side facing elevation of no. 71 Station Road and the rear gardens of nos. 1A and 1B Bramblewood (two properties recently built within the rear garden area of no. 71A Station Road). There is a ground floor window in the side facing elevation of no. 71 that appears to be a secondary window. The front elevation of the proposed dwellings would be set further to the east than this window. There are no windows in the rear elevation of no. 71 to be affected by the proposals. Some overshadowing of this property would occur as a result of these proposals, particularly in the first half of the day. However as the window is south facing and a secondary window it is not considered that it would be reasonable to refuse the application on the grounds that it would have an unacceptably overbearing impact upon the occupiers of no. 71 Station Road.
16. The other matters raised by no. 71 regarding damp, damage to the property and access for future building works are not material planning considerations and are for the applicant to address with the owner of this property.
17. The rear elevation of nos. 1A and 1B Bramblewood would be overlooked by oblique views from the rear elevations of the proposed dwellings. The original rear elevations of nos. 1A and 1B are set back 10m from the northern boundary of the application site, although no. 1A has built a single storey rear extension. The Council's interface standards state that windows to habitable rooms at first floor level should be a minimum of 21m from any such facing windows in neighbouring houses and that windows to habitable rooms at first floor level which overlook neighbouring garden areas should be a minimum of 10m from the boundaries that they face. The plot closest to the northern boundary with no. 1A would not meet these standards (the closest proposed first floor

window would be approximately 6-7 from the boundary), however, it is considered that would be very difficult to gain clear views into the rear gardens due to the relationship of the properties.

18. On balance it is considered that the suggested position of the proposed dwelling would not have such a detrimental impact upon the occupiers of no.1A and 1B Bramblewood to warrant refusing the application.
19. In respect of the impact on no. 81 Station Road to the south, the application site is immediately to the north and would not cause any direct overshadowing, although some loss of ambient light may occur. The rear garden area of no. 81 is extensive and the proposed dwelling would impact on only a limited amount of the garden area. The nearest ground floor rear facing window in no. 81 serves a bathroom (a non-habitable room) and the first floor window serves a bedroom. The two storey part of the proposed dwellings would comply with a 45 degree plus 3m guideline taken from the near edge of that first floor bedroom window in no. 81.
20. On balance it is considered that the suggested position of the proposed dwelling would not have such a detrimental impact upon the occupiers of no. 81 to warrant refusing the application.
21. The distance between the proposed dwellings and those on the opposite side of Station Road would be between 17.5m and 19.5m. The Council's interface standards state that habitable rooms at first floor level should be a minimum of 21m from any such windows in neighbouring houses. Although the proposal would not meet these standards, this is a common relationship within the streetscene and local area. No objections have been received and a number of the proposed windows to the front are to non-habitable rooms.

#### Highways

22. Policy ST4 of the Local Plan sets out the relevant parking standards for new development and policy BNE1 requires that new development should not prejudice highway safety. No comments from LCC Highways have been received as yet regarding the current proposal,. However, the Highways Engineer has previously expressed concerns regarding the provision of a dropped kerb of the width proposed and the prospect of vehicles reversing onto the highway.
23. The land is used, informally at present, for the parking of vehicles, and although this use is unauthorised, it does result in vehicles regularly manoeuvring on and off the highway. Although Station Road is an A road, it is considered that vehicles do not travel at excessive speeds, due to the built up nature of area, and presence of other vehicles parked on the highway. Furthermore, this is a common situation, replicated through the village of Croston. There are also other areas nearby with similar length dropped kerbs.
24. The proposed dwellings would have three bedrooms. Two off street parking spaces are proposed for each dwelling. This is in accordance with the standards set out in the Local Plan.
25. Taking all the above factors into account it is considered that it would be difficult refuse the application on the grounds of highway safety.

#### Ecology and Trees

26. The applicant has submitted an Extended Phase 1 Habitat Survey and Baseline Ecological Impact Assessment with the application. The assessment comprised a data search, extended Phase 1 habitat survey of the site, vascular plant species survey, badger survey, and bat survey. The surveys found that there were no signs of any protected or otherwise important species such as ground nesting or over wintering birds, great crested newts, common toads, red squirrels, roosting bats, badgers or barn owl, and no important habitats or vegetation communities occur on site boundaries. There were no historic records of protected or otherwise important species or habitats occurring within or close to the site boundaries.

27. The assessment finds that the site is likely to be used by a small number of relatively common breeding birds, small mammals and to a small extent for foraging and commuting by bats, but is otherwise of limited ecological value. The findings of the assessment are considered to adequately demonstrate that the proposal would not give rise to any harm to protected species.
28. The Council's Tree Officer has visited the site and found that the trees on site are of poor quality and do not warrant attention.

#### Flood Risk and Drainage

29. A small part of the front of the site is located within Flood Zone 2. A flood risk assessment has been provided with the application. This finds that:
- Proposed on-site and disposal drainage will be designed and constructed in accordance with The Building Regulations as appropriate.
  - All on-site roofs and pavings are to drain into the designed surface water system or to ground, thereby ensuring there will be no increase in off-site flood flows generated by the development.
  - There will be no significant off-site impacts as a result of this development and therefore the proposal satisfies paragraph 103 of the Framework as it will not increase flood risk elsewhere.
  - This Flood Risk Assessment has demonstrated that either by assessment or by design as part of the development, all residual flood risks on site will be low.

As only a very small part of the site (which is likely to be used as a car parking area) to the front is within Flood zone 2 and the Flood Risk assessment has not raised any concerns it is considered that the proposed development would not give rise to any undue increase in flood risk or be at any unacceptable risk from flooding.

30. The Environment Agency have advised that the proposal will meet the requirement of the Framework, provided that the finished floor levels are set no lower than 8.2 m above Ordnance datum. These levels are shown on the proposed site plan.

#### S106 agreement

31. There is a requirement for a financial contribution towards equipped play space, casual/informal play space and playing fields for all new housing developments, irrespective of size. This is set out in policies HS4A and HS4B of the Local Plan.
32. In September 2013 the Council adopted The Open Space and Playing Pitch Supplementary Planning Document. The Council's requests for financial contribution towards the provision and improvement of public open space within the Borough are therefore now based upon the standards within Local Plan Policies HS4A and HS4B and the approach in the SPD. The Council has also produced an Open Space Study and Playing Pitch Strategy which provides detailed information on local needs, deficits and surpluses, therefore such requests for contributions are based on a robust and up to date assessment on the level of need and existing provision in the local area.
33. The Council's Planning Policy Team has advised that a figure of £7552 is required in this instance. The applicant has been made aware.

#### CIL

34. The Chorley CIL Charging Schedule provides a specific amount for housing - £65 per sq m. This was adopted in July 2013 and charging commenced on 1 September 2013. As the proposal results in new residential floor space being created a CIL liability notice will be issued for the development. The applicant states that the development will provide 431.9 sq m of new residential floor space, giving a CIL liability of £28073.5

#### **Overall Conclusion**

35. The application site is located within the settlement boundary of Croston, within a clearly identifiable built up frontage with buildings on either side for a substantial distance. In

terms of its size and location it is considered that the site falls to be considered as an infill plot and residential development of the site is appropriate in principal. The proposed development would not have an unacceptable impact upon the amenities of neighbouring residents, or highway safety and the design is acceptable. The application is therefore recommended for approval subject to conditions and a s106 agreement.

**Planning Policies**

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 proposal has had regard to guidance contained within 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**

<b>Reference</b>	<b>Description</b>	<b>Decision</b>	<b>Date</b>
98/00484/OUT	Outline application for residential development	Withdrawn	29 <sup>th</sup> October 1990
14/01272/OUT	Outline application for up to 4 no. terraced houses (all matters reserved apart from means of access)	Pending	

**CONDITIONS TO FOLLOW**

