

Item B.12 **07/00626/FUL** **Permit (Subject to Legal Agreement)**

Case Officer **Mrs Nicola Hopkins**

Ward **Clayton-le-Woods North**

Proposal **Demolish existing dwelling and erect 6 No. 2½ storey dwellings and a 2 ½ storey apartment block comprising 2 No. 2 bedroomed and 1 No. 1 bedroomed apartments and the provision for 15 car parking spaces**

Location **Rodger Bank Gough Lane Clayton Brook Bamber BridgePreston**

Applicant **Mr & Mrs Butler**

Proposal The application relates to the erection of 6 two and half storey dwellinghouses and a two and a half storey apartment block incorporating 3 apartments. The scheme also incorporates an access driveway to serve the site and 15 parking spaces.

The application site is currently occupied by one detached bungalow and detached garage and is located in a predominantly residential area. The site is accessed via a private access track and part of the accessway immediately in front of the premises is pedestrianised.

Planning Policy **Chorley Borough Council Local Plan Review:**
GN1- Settlement Policy- Main Settlements
GN5- Building Design and Retaining Existing Landscape Features and Natural Habitats
HS4- Design and Layout of Residential Developments
TR4- Highway Development Control Criteria

Joint Lancashire Structure Plan:
Policy 7- Parking
Access and Parking SPG

Planning History **00/00579/FUL-** Erection of detached commercial garage (class B2). Withdrawn

05/00171/FUL- Erection of single storey rear extension. Approved April 2005

07/00350/FUL- Proposed development of 9No 2S and 3 storey dwellings with the provision of 16 parking spaces. Withdrawn

Applicant's Case The applicant has forwarded the above points in the form of a Design and Access Statement:

- The 6 two and a half storey dwellings provide 3 bedrooms over 900 sq ft of living accommodation. The apartment block comprises 2 two bedroom apartments and 1 one bedroom apartment. 15 car parking spaces have been provided.
- Access is via a private road and will be

- conveyed equally as a shared ownership
- The size of the properties is a careful balance between land value, build cost and potential selling price whilst having regard for its setting, site constraints and amenities of the new and existing properties
- The proposed houses are not in line with any neighbouring properties and therefore the properties did not have to match an existing roof line in order to maintain a street scene
- The properties have been staggered in order to reduce the impact of a very flat fronted street scene
- The existing mature landscaping will be maintained whilst incorporating additional green areas.
- A range of materials have been incorporated. The first floor of the apartment block has been rendered to avoid having a large areas of brickwork facing Gough Lane and the new houses.

Representations
grounds:

Clayton le Woods Parish Council object on the following

- Traffic grounds
- Pedestrian walkways used by children
- Reiterate their original comments which include overdevelopment of the site, traffic, parking problems and proximity to the school.
- 3 letters of objection have been received raising the following points:
 - The proposal will lead to an increase in traffic and additional noise and disturbance
 - Concerned about overlooking
 - Changing the access point and allowing cars to travel up Gough Lane will lead to numerous problems including further damage of the existing road which is already in a poor state of repair
 - There are no passing places along Gough Lane
 - Safety issues in respect of pedestrians using Gough Lane
 - How will emergency vehicles enter the site.
 - Density of the proposal will impact on the character of the area.
 - Who will maintain the road?
 - Noise from passing traffic and people

Consultations

Director of Street Scene, Neighbourhoods and the Environment:

- Recommends that a desk study of the site is undertaken to identify any potential sources of contamination.
- Requests that the site is accessible for

refuse vehicles and collection and suitable storage areas are provided for refuse.

Chorley Community Safety Partnership have made the following comments:

- The area suffers from higher than usual levels of crime and disorder
- The only concern is the lack of boundary treatment and recommends that a substantial 1.8 metre high fence is erected around the perimeter of the site. This will ensure maximum security and foster a sense of ownership for the residents.

Lancashire County Council's Highway Engineer originally objected to the scheme on the following grounds:

- The scheme proposes nine dwellings served off a private drive. The maximum allowed off a private drive is three. The road therefore needs to be adopted.
- If the access way is to remain private then arrangements for a suitable management company need to be submitted and the access way should be designed as a road.
- The driveways to the apartments are not acceptable as they are on top of the access point.
- The entrance is inaccessible to refuse collection vehicles and the bin carry distance has been exceeded. What provision will be made for refuse collection/ storage?
- The parking bays are very short and cars will overhang the highway. Bays 1-3 will block the entrance and bays 14 and 15 have no turning provision.

Assessment

The main issues of consideration are whether the redevelopment of the site for residential use is appropriate, the impact on the neighbours amenities, the impact on highway safety and the impact on the character and appearance of the area.

The site is currently occupied by a detached residential bungalow and is located within a predominantly residential area. As such the principle of redeveloping the site for residential is considered to be acceptable as it is the established use within a residential area.

The site is surrounded by residential properties and therefore the impact on the neighbours amenities is one of the main considerations. The submission of this application follows a previously withdrawn application. There were a number of issues of concern with the previous application one of which was the impact on the neighbours. This proposal has resited the properties compared with the previous scheme. The current proposal meets the required spacing distances as set out in the Council's approved

Spacing Standards and as such will not result in loss of amenity to the detriment of the neighbours amenities.

The proposed properties are 2 and a half storey however the half storey incorporates converting the roof space with a dormer window in the front elevation. In addition to this the proposed dwellinghouses are 8 metres high to ridge height which is not dissimilar to a standard two storey house. The properties retain ten metres from the first floor windows to the private garden boundaries of the properties to the south west of the site and as such will not create overlooking to the detriment of the neighbours amenities.

The immediate surrounding area is characterised by a mix of housing types and styles. Due to the variations within the surrounding area it is considered that the introduction of two and a half storey properties will not create incongruous features to the detriment of the character and appearance of the area.

The proposed apartment block will be located adjacent to Gough Lane in a very prominent location and consists of three apartments. The building, however, has been designed to reflect a two storey dwelling and the 1 bedroom apartment will be located in the roof space with the inclusion of a dormer window. The height to the ridge is 8.5 metres which is similar to the other proposed properties and a range of materials are proposed for the block including brickwork and render to break up the frontage of the buildings and reduce the visual dominance. It is not considered that the proposed apartment block will result in a visually intrusive feature to the detriment of the street scene.

The Highway Engineer originally raised concerns in respect of the proposal as set out above. These concerns mainly related to the access to the site and the parking arrangements. Following the Highway Engineers comments the scheme has been amended to accommodate longer parking spaces, additional manoeuvring facilities and the agent has confirmed that the driveway will remain private and maintenance will be managed via a private management company. This will be attached as a condition. It would appear that the amended details resolve the Highway Engineer's concerns. The Engineer has been reconsulted on the amended plans however at the time of writing this report no further comments had been received. Any additional information will be reported on the addendum.

The neighbours have raised concerns about additional traffic utilising Gough Lane. The previous application proposed to change the access point to the site and for cars to access the site along the full length of Gough Lane. This amended proposal, however, retains the existing access point and the bollards which ensure the area of Gough Lane to the immediate front of the site is inaccessible to cars will be retained. As such cars and vehicles will not be required to travel along the full length of Gough Lane to access the site. The Highway Engineer considers that the current access point is preferable to the access detailed on the previous scheme.

Conclusion

The principle of residential development on this site is considered to be acceptable and the proposal will not create any adverse impact on the neighbours amenities or the character of the area. It

appears that any original concerns raised by the Highway Engineer have been addressed and as such the proposal is considered to be acceptable.

**Recommendation: Permit (Subject to Legal 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 samples of all external facing materials to the proposed buildings (notwithstanding any details 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 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 of the Adopted Chorley Borough Local Plan Review.

3. 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 dwellings 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.

4. 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 plans) 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.

5. 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.

6. 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.

7. Before the development hereby permitted is first occupied, the car park and vehicle manoeuvring areas shall be surfaced or paved, drained and marked out all in accordance with the approved plan. The car park and vehicle manoeuvring areas shall not thereafter be used for any purpose other than the parking of and manoeuvring of vehicles.

Reason: To ensure adequate on site provision of car parking and manoeuvring areas and in accordance with Policy No. TR8 of the Adopted Chorley Borough Local Plan Review.

8. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected to the site boundaries (notwithstanding any such detail shown on previously submitted plans) shall have been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied or land used pursuant to this permission before all walls and fences have been erected in accordance with the approved details. Fences and walls shall thereafter be retained in accordance with the approved details at all times.

Reason: To ensure a visually satisfactory form of development, to protect the amenities of occupiers of nearby property and in accordance with Policy Nos. GN5 of the Adopted Chorley Borough Local Plan Review.

9. No development shall take place until a desktop study in order to identify any potential sources of land contamination associated with the development has been carried out and approved in writing by the Local Planning Authority. If the potential for contamination is confirmed further studies by the developer to assess the risks and identify and appraise the options for remediation will be required. Reason: To protect the environment and to prevent harm to human health by ensuring that the land is remediated to an appropriate standard in accordance with Policy No. EP16 of the Adopted Chorley Borough Local Plan Review and Government advice contained in PPS23: Planning and Pollution Control

10. Prior to the commencement of the development full details of the Management Company to deal with the future management and maintenance of the site shall be submitted to and approved in writing by the Local Planning Authority. The site shall thereafter be managed by the approved Management Company. Reason: To ensure the satisfactory management of the private driveway and refuse storage/ collection at the site and in accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review.

11. Prior to the commencement of the development full details of the proposed bin storage area shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be carried out in accordance with the approved plans. Reason: To ensure the adequate provision of refuse storage on the site and in accordance with Policy GN5 of the Adopted Chorley Borough Local Plan Review.
