

Item 3d **15/00686/FULMAJ**

Case Officer **Adele Hayes**

Ward **Chorley North East**

Proposal **Erection of 12no. dwellings consisting of 6no. houses and 6no.apartments with associated landscaping, car parking and adopted access road following demolition of the existing factory.**

Location **Crown Stage And Theatre Services Ltd, Brock Mill, Brock Road, Chorley.**

Applicant **Progress Housing**

Consultation expiry: **5 January 2016**

Application expiry: **22nd October 2015**

Recommendation

It is recommended that this application is approved.

Proposal

1. This application seeks full planning permission for a residential development comprising 12no. dwellings consisting of 6no. two bedroomed houses and 6no. one bedroomed apartments with associated landscaping, car parking and adopted access road on the site of Brock Mill which was demolished last year.
2. The northern boundary of the site fronts Brock Road whilst it is adjoined by existing warehouses on the southern and western boundaries with housing located to the east. The site was formerly occupied by an industrial building.
3. The site is within close proximity of the A6 Road and Market Street is approximately 0.9 miles to the south where facilities such as retail stores, restaurants and supermarkets are located. The Parish Church of Saint Peter is also close by, located at the north of the site about 0.3 miles away. Schools such as St. Joseph's Catholic Primary School and Highfield Primary School are also close by within a 10 minute walk. Chorley and South Ribble District General Hospital is 1.1 miles away.

Representations

4. Representations have been received from 7 local residents citing the following grounds of objection:
 - The proposed 2100mm high fence is directly adjacent to an existing property and the gable wall of this house contains a ground floor window. The fence would completely cover the window obliterating any light.
 - The boundary fence would prevent the neighbouring occupier from maintaining their home.
 - There will be an unacceptable increase in traffic to an already busy, dangerous and inadequate road. A one way traffic system is suggested.
 - Many children play around and walk to school across the proposed access junction and the increased traffic and the necessary dog legged road infrastructure would affect their safety.
 - There will be increased noise and disturbance from the traffic and existing parking problems will be exacerbated.
 - There will be a loss of privacy.
 - The site of Brock Mill is not suited for housing development and this application should be rejected.
 - There is insufficient parking provision.
 - The planting of shrubs to the side of 2 Brock Road will cause collection of litter and vermin and without a maintenance program in place there would be no way to control this and the height of the shrubs.
 - The planting of shrubs close to a neighbouring property will affect the integrity of the foundations eventually leading to subsidence.
 - The height of the boundary wall adjacent to properties on Briercliffe Road should be left at 3m so that privacy levels are retained.
 - No. 2 Brock Road is listed as part of this application and this is a misrepresentation made by the applicant.

Consultations

5. Lancashire County Council (Highways) - recommend conditions
6. Lead Local Flood Authority - recommend conditions
7. Chorley's Waste & Contaminated Land Officer - recommend condition
8. Environmental Health - no objections
9. Lancashire County Council (Education) – confirm that an education contribution is not required.

10. United Utilities - recommend conditions

11. Strategic Housing – Comment that the application reflects the current need demonstrated by the Housing Register for 1 and 2 bedroom Social Housing, as well as being in a suitable location close to the town centre.

Assessment

Principle of the development

12. Policy 10 of the Central Lancashire Core Strategy seeks to protect all existing employment premises and sites last used for employment. This policy covers Class B1, B2 and B8 uses. Proposals on all employment sites/premises for re-use or redevelopment other than for Class B employment purposes will be assessed under Policy 10 criteria a – h) in relation to proposed housing use. This includes criterion g) that requires a convincing evidence of lack of demand through a rigorous and active 12 months marketing period for employment re-use and employment redevelopment and criterion h) that requires an assessment of the viability of employment development including re-use and employment redevelopment.
13. The Central Lancashire Supplementary Planning Document Controlling Re-use of Employment Premises (SPD) (adopted 2012) provides additional information on this policy.
14. The Council assesses all applications for the redevelopment of employment sites on their individual merits and the starting point is to retain all employment sites to support sustainable economic growth. Consideration will only be given to alternative uses where an applicant can clearly demonstrate that the criteria in Policy 10 have been fully met. This includes both changes of use and redevelopment from employment to non- employment uses.
15. The application site has been appropriately marketed since February 2012 and the submitted evidence confirms that there is no current demand for employment use. Colleagues in the Council's Economic Development Team have confirmed that the site has been on Evolutive and the application is also supported by an assessment of the viability of employment development including employment re-use and employment redevelopment.
16. The development of the site for housing purposes is, therefore, considered to be acceptable in principle.

Ecology

17. Sufficiently detailed ecological assessments have been supplied with the planning application and no further surveys or information are required prior to determination of the application. The ecological constraints identified can be resolved via informatives or conditions.
18. The buildings that have been demolished were surveyed for bat roosting potential by suitably experienced bat workers and determined to have negligible bat roosting potential. The conclusions of the assessment are accepted. The exterior of one of the buildings was covered in ivy, which was assessed as having low bat roosting potential and an emergence survey was carried out. This found no evidence of emergence and only recorded low levels of common pipistrelle in the vicinity of the development site. The overall risk regarding bats was concluded as low.
19. A number of trees will be lost as a result of the development and although these were not assessed for bat roosting potential, those to be lost, goat willows and leyland cypress, would have negligible risk owing to size and condition.
20. The development will result in the loss of a moderate amount of semi-natural regeneration and bird nesting habitat and without mitigation could result in a net loss of biodiversity contrary to guidance within the Framework. The ecological assessment makes a number of

recommendations on how to mitigate for this loss including tree planting, bird boxes and bat boxes. Suitable conditions are recommended.

Highway safety

21. The proposal requires a total of 18no. car parking spaces, but while parking provision is met for the proposed apartments, only half the spaces required for the houses are proposed. However, the site is located in a highly sustainable urban location that is well served by public transport and where local amenities are within close proximity. Good quality footways and footpaths exist in the area to facilitate walking and although there are no dedicated cycle routes/lanes, the existing road network accommodates cyclists without difficulties. Chorley Town Centre is within the recommended cycling distance of 5km of the site.
22. Therefore, notwithstanding the shortfall in the applicant's parking provision, it is not considered unreasonable to accept the proposed lower level of parking provision. The applicant has been asked to widen one of the 'visitor parking' spaces into that of the disabled with the necessary markings dedicating it as such.
23. It is noted from the Design and Access Statement that each dwelling will be provided with an individual garden and shed with bicycle storage facilities. As noted on the planning application form, secure storage will be provided for a total of 24 cycles.
24. Given the number of proposed dwellings, the site access should be provided to a width of either 4.8m to allow safe passage of a large and a small vehicle at a time or 5.5m to allow safe passage of two large vehicles at a time. Should widening of the access result in the existing lamp column currently at the entrance being affected, any relocation of the lamp column will be at the applicant's expense. The applicant has been asked to confirm whether this will be necessary.

Design and layout

25. The proposed block of flats and the semi-detached dwellings would be traditionally constructed and finished with brick walls and tiled roofs. The development would be two storey in keeping with the scale of other dwellings in the area and would be of a similar density.
26. The property adjacent to the site access, at 2 Brock Road, has an existing ground floor window to a dining room in the gable elevation and the originally proposed 2.1m high boundary fence has been deleted from the scheme to ensure that the outlook from this window is not adversely affected. This property is not included within the application site edged red.
27. The relationship of the proposed houses with existing properties Briercliffe Road is considered to be acceptable and the boundary treatment along the rear gardens of these properties is to be retained as a 3metre high wall for privacy and security reasons rather than being replaced by a 2.1 metre high fence as originally proposed.
28. The surrounding housing is higher density with small gardens. The proposed development shows that adequate privacy distances can be maintained in relation to the surrounding development. It is not considered that this proposal will have a detrimental impact on the neighbouring amenity.

Viability

29. The Open Space and Playing Pitch SPD was adopted for development control purposes at the Council meeting on 17th September 2013. Therefore, Local Plan Policies HS4A and HS4B, and the approach in the SPD, apply.
30. The Council's Planning Policy Officer advises that there is justification for a total payment to public open space from the site of £26,895.
31. In addition, since the Deregulation Act 2015 received Royal Assent on 26th March 2015, the Council has implemented transitional arrangements relating to the Code for Sustainable Homes that has been withdrawn, to continue to require dwellings to achieve an energy efficiency

equivalent to Code for Sustainable Homes Level 4, in excess of current Building Control requirements.

32. However, the applicant has submitted a viability assessment with the application that includes all sums necessary for the development of a scheme of 12 affordable homes within the usual anticipated market range of development costs. This has been assessed by the Council's Property Services Team and they advise that the impact of further costs in excess of current Building Control requirements and S106 sums make the scheme unviable.
33. The viability is therefore accepted and no contribution to public open space is requested. The dwellings will need to be built to current Building Regulations requirements.

Noise

34. Usually, the main concern with this type of development, are issues concerning the impact of noise. The applicant has submitted an acoustic report (No 10315 (Braiden Acoustics LTD) which seeks to quantify any impact and offers mitigation measures. The report is acceptable and the required mitigation measures should seek to protect the prospective residents. Conditions are, therefore, recommend to ensure that the measures outlined within the report are followed. Glazing recommendations are the main way of dealing with noise, according to the report. In addition to this, the report refers to a close boarded timber boundary fence but there is no specific detail about this. The fence is to provide additional protection for amenity areas from the impact of noise and again the boundary treatments would be dealt with by condition.

Flood Risk Assessment

35. An important part of the planning application process is consideration of flood risk as detailed under Footnote 20 of Paragraph 103 of the National Planning Policy Framework (NPPF). This is usually facilitated through a site-specific flood risk assessment (FRA). A site specific FRA is not required for this application however, the LLFA advises that flooding from local sources should be appropriately assessed in addition to flood risk from fluvial and coastal sources.
36. In line with the Environment Agency's 'Climate Change Allowance for Planners' guidance, the LLFA expects flood risk to be calculated for the following flood events:
- 1 in 1 year
 - 1 in 2.2 year (Qbar)
 - 1 in 30 year
 - 1 in 100 year PLUS the applicable climate change allowance
37. It is noted from the consultation response provided by United Utilities that a maximum discharge rate of 15 l/s has been agreed for the surface water sewer. The LLFA require confirmation that this rate does not increase the current run off rate for the developed site, and where possible offers a betterment of that rate, as close to the greenfield run off rate as possible. The LLFA will also require attenuation calculations to evidence the designed system can accommodate any additional surface water. These matters will be dealt with by condition.

Community Infrastructure Levy

38. The development is CIL liable but the developer can apply for an exemption as the development is for affordable housing.

Overall Conclusion

39. It is considered that the proposed development is acceptable in that it will provide housing on a currently derelict site.

40. As such, the proposed development is recommended for approval subject to planning conditions.

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 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.

Site History

The site history of the property is as follows:

Ref: 14/01254/FULMAJ **Decision:** WDN **Decision Date:** 3 March 2015
Description: Erection of 12no. dwellings consisting of 6no. houses and 6no.apartments with associated landscaping, car parking and adopted access road following demolition of the existing factory.

Ref: 08/00178/FUL **Decision:** WDN **Decision Date:** 26 March 2008
Description: Demolition of existing factory building and erection of 4 no. office blocks with associated car parking, landscaping and access via new Stump Lane access road

Ref: 01/00918/COU **Decision:** REFFPP **Decision Date:** 19 December 2001
Description: Change of Use from sewing factory to auction centre for selling of antiques and household furniture,

Ref: 84/00672/FUL **Decision:** REFFPP **Decision Date:** 13 November 1984
Description: Change of use to welding fabrication manufacturing of parts for machinery