

Item 3h	16/00336/FUL
Case Officer	Iain Crossland
Ward	Coppull Ward
Proposal	Erection of 5 no. two storey houses, 1 no. bungalow and 4 no. flats with associated car parking, access formation and landscaping
Location	Garages 30M North Of 1 Shelley Close Coppull
Applicant	Adactus Housing Group Ltd
Consultation expiry:	20 May 2016
Decision due by:	14 June 2016

Recommendation

It is recommended that this application is approved subject to conditions.

Representations

Coppull Parish Council – No objection

In total 2 representations have been received objecting to the proposal on the following summarised grounds:

- The loss and relocation of car parking for existing residents would create inconvenience and would not be used
- Impact on highway safety
- Some residents would not be able to see their children using the play area from their homes as the new housing would restrict views
- The proposed development would encourage anti-social behaviour from unwanted persons hanging around and feeling it is ok to loiter/drink/take drugs/vandalise etc in the ginnel
- The proposed development would lower the tone, decrease house prices, and ruin the area.

Consultees

Consultee	Summary of Comments received
LCC Highways	No objection subject to appropriate conditions
GMEU Ecology Services	Raise no objection
United Utilities	No objection to the proposed development

Assessment

The Site

1. The application site comprises a former garage colony, car parking area and amenity open space located within the settlement area of Coppull. The site is split into three parcels of land around the junction of Shelley Close, Dickens Road and Byron Crescent. There is an existing vehicular access to the former garage colony and car park.
2. The site consists of areas of hard standing and grassed areas and mounds. It is relatively level and open with some trees around the perimeter.
3. The site is bound by the west coast mainline railway to the east, public amenity space comprising grassed mounds and a play area to the north and residential development to the south and west. The area is characterised predominantly by residential dwellings in a variety of designs and styles, which result in a suburban character.

The Proposal

4. The proposed development is for the erection of 5 no. two storey houses, 1 no. bungalow and 4 no. flats with associated car parking, access formation and landscaping.
5. The proposed dwellings are of a modern design. There would be a row of three terraced houses, a building with two flats attached to a bungalow and a freestanding building with two flats on the Shelley Close garage and amenity site. There would two semi-detached dwellings on the corner of Shelley Close and Dickens Road, and a car parking area on the corner of Dickens Road and Byron Crescent.
6. There would be enclosed gardens to the rear of the properties, with car parking to the front and some landscaping.

Assessment

The main issues are as follows:-

- Issue 1 – Loss of public open space
- Issue 2 – Impact on character and appearance of the locality
- Issue 3 – Impact on neighbour amenity
- Issue 4 – Impact on highways/access
- Issue 5 – Ecology
- Issue 6 – S106
- Issue 7 – CIL
- Issue 8 – Other matters

Principle of the Development

7. The National Planning Policy Framework (The Framework) states that housing applications should be considered in the context of the presumption in favour of sustainable development. This means that development proposals that accord with the development plan should be approved without delay.
8. There is particular support for the provision of affordable housing in the Framework and through Policy 6 of the Central Lancashire Core Strategy.
9. Policy 1(d) of the Central Lancashire Core Strategy encourages some growth and investment to meet housing needs in Urban Local Service Centres such as Coppull.
10. The application site is located in the core settlement area of Coppull, on an area of amenity open space designated as such within the Chorley Local Plan 2012 - 2026. Policy HW2 of the Chorley Local Plan 2012 – 2026 states that land and buildings currently or last used as, or ancillary to, open space or sports and recreational facilities will be protected unless certain criteria can be met. These are assessed below.
11. This approach is reflected and supported in the National Planning Policy Framework (The Framework).

12. One of the 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 of public transport and amenities such as shops, schools, churches and community facilities. The Framework also states that development in sustainable locations should be approved without delay.
13. Policy BNE1 of the Chorley 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.

Loss of Public Open Space

14. The site is identified in the adopted Chorley Local Plan as Existing Open Space under Policy HW2.
15. The site is an existing area of open space split across two parcels, which were identified as amenity greenspace and assessed as part of the Open Space Study. They were subsequently allocated as open space in the adopted Chorley Local Plan 2012-26.
16. There is currently a deficit of amenity greenspace in Coppull and therefore the loss of further amenity greenspace would make this deficit worse.
17. The site is assessed as being high quality and high value in the Open Space Study.
18. The site serves no particular recreational need and largely consists of open grassed areas surrounding the former garage site and therefore performs a visual function. It is acknowledged that the site does make a contribution to the character of the area in terms of visual amenity, however, this is limited owing to the location of the site and sense of dereliction following the demolition of the garages.
19. In addition, it is also acknowledged that there may not be any suitable land available in Coppull to provide alternative provision. In this instance, it is considered that a commuted sum for the loss of the site would be acceptable, which the Council can then use for to improve existing open space provision in Coppull.
20. However, the proposed development would provide much needed affordable housing in a sustainable location, which is of benefit to the community. As such it is considered that the loss of the amenity green space at the site can be justified in this instance due to the benefits provided by the proposed development and the provision of a commuted sum for off-site improvements in the locality.
21. On the basis of the above any planning approval would therefore be dependent upon a section 106 agreement detailing and securing a commuted sum payment. The amount of open space to be lost is 1431 square metres. The commuted sum that would be required to replace this amount of amenity open space is £11,448 (1431 x £8).

Impact on the character and appearance of the locality

22. The proposal is for the erection of three terraced houses, a semi-detached pair and a bungalow, and four flats set within two units resembling detached houses. The proposed dwellings would be of a fairly standard modern design.
23. There is a consistent form of development in the immediate area of the site comprising short rows of terraced units that have front and rear gardens, with large areas given over to communal car parking. The dwellings themselves are of a fairly standard design faced in red/brown brick with roofs laid in red clay tiles.
24. Beyond the immediate area there is a range of property types and styles including detached dwellings and bungalows that have been developed more recently resulting in a mix of designs across the wider locality.

25. It is noted that the layout of the dwellings to the west side of Shelley Close are located in two staggered rows of terraces. The proposed dwellings at plots 9 and 10 would continue this pattern with a front elevation situated approximately 6.5m beyond the front elevation of the nearest terrace. The layout of the dwellings to the east side of Shelly Close is more consistent with a single terrace running at a slight angle to Shelley Close. Plots 4 to 8 would continue this form being positioned in line with this terrace and would be harmonious with the existing form of development. Plot 3 comprises a bungalow that would project from the front elevation of plots 4 and 5. This would be low level and fairly unobtrusive as a result. Its positioning would help to create a sense of enclosure within what is currently a very open and somewhat vacuous entrance to the close.
26. The siting of plots 1 and 2, which form two flats within a single unit, is rather unorthodox as it would sit within an island at the entrance to the close. Its positioning certainly helps to create some sense of enclosure for the new development and the existing close. Although this unit would appear isolated to some extent when viewed from Shelley Close, it may help to relieve the featureless and vacuous sense at this part of the estate as part of the overall proposed development. Its siting is not considered to be so harmful that it should be removed from the scheme or for the application to be refused on this basis.
27. The height and scale of the proposed dwellings and units would be similar to that of the existing properties in the immediate area, other than the bungalow, which is of a low level. Their design would be simple and modern and as such would complement the current appearance of the area.
28. The proposed development would not be out of keeping with the character and distinctiveness of the area in terms of its density and would balance with a relatively efficient use of land.
29. A car parking area would be created on the corner of Dickens Road and Byron Crescent. This is currently a lawn with the appearance of a garden. The formation of car parking spaces would involve hard surfacing part of this lawn and although this would detract from the soft edge provided by the current lawn the addition of hard surfacing for car parking would provide a useful facility for local residents without causing undue harm to the character of the area.
30. It is noted that the area of the demolished garages, which forms part of the site, currently results in a sense of abandonment, which detracts from the character of the area. It is acknowledged that an active use needs to be established on the site to address this. The proposal would result in the creation of new affordable dwellings with associated garden curtilage, parking areas and landscaping. The proposed development would therefore result in an overall improvement in the appearance of the site and would subsequently enhance the character of the area.
31. The appearance of the overall development would not be unduly harmful in the street scene, and as a whole would be fairly well integrated, retaining the suburban residential character of the area.
32. The development is therefore considered to be in accordance with Policy BNE1 of the emerging Chorley Local Plan 2012 - 2026 and has overcome the concerns regarding the impact on the street scene.

Impact on neighbour amenity

33. Plots 9 and 10 located on the corner of Dickens Road and Shelley Close would be located approximately 2.7m from flats at 2 and 4 Shelley Close. There are windows to habitable rooms in the side elevation of 2 and 4 Shelley Close, which would face the rear gardens of plots 9 and 10. It is noted that there would be a window to a habitable room in the side elevation of plot 9 facing these flats. The window would not be parallel with any of the windows at 2 and 4 Shelley Close and would overlook the front garden only. As such there would be no unacceptable impact on privacy. The positioning of plot 9 to the north of 2 and 4 Shelley Close would not impact on the light or outlook of these dwellings.
34. Plots 9 and 10 would be located approximately 12.4m from flats at 1 and 3 Dickens Road. There would be windows to habitable rooms facing the rear elevation of plots 9 and 10. The degree of

separation and positioning are such that the impact on light and outlook would be acceptable. There would be no parallel facing windows to habitable rooms.

35. It is noted that there are windows to habitable rooms in the first floor elevations of 2 and 4 Shelley Close and 1 and 3 Dickens Road that would face plot 9. These would result in the rear garden of plot 9 being overlooked with a lesser degree of privacy than would normally be accepted. However, as the proposed development would be rented on an affordable basis it is considered that in this instance the benefits of providing affordable rented accommodation outweighs the harm that prospective tenants would experience through reduced privacy within the rear garden area. This is particularly so as any such prospective tenants would undertake to rent the unit in the full knowledge of those reduced levels of privacy, but would be benefitting directly from affordable rent.
36. Plot 8 would be positioned adjacent to 1 Shelley Close and would be approximately 3.5m from this property. It would be positioned in line with this property to the north side and as such would not impact on light or outlook. There would be no windows to habitable rooms in the side elevation and there would be no unacceptable impact on privacy in relation to 1 Shelley Close.
37. The relationship and interface between the proposed properties would be acceptable and meets with the Council's adopted standards. Boundary fencing would ensure privacy to rear gardens. It is noted that there is very little outdoor amenity space associated with the bungalow at plot 3. There are no adopted standards controlling this and it is acknowledged that such a unit would most likely be aimed at elderly residents with low garden maintenance requirements.

Impact on highways/access

38. The proposed development would result in the creation of five two bedroom dwellings and five one bedroom dwellings. This would require the provision of 15 off street car parking spaces. Off street car parking has been identified across the proposed site for 22 vehicles provided by designated parking spaces and communal parking areas. This meets with the adopted parking standards set out in policy ST4 of the emerging Chorley Local Plan 2012 – 2026.
39. It is noted that 7 surplus car parking spaces would be provided, which would offset those lost on the land at the corner of Dickens Road and Shelley Close. These would be available for use by any nearby residents or visitors.
40. The development would be accessed via an existing vehicle access which currently serves the garage site. This would be amended and extended to serve the site. The LCC Highways engineer has recommended that the width of the access at the junction with Dickens Road be reduced to improve pedestrian safety. An amended plan shows that the junction radii would be reduced to the recommended 6m width. This will be secured on site through a section 278 agreement.
41. Plots 9 and 10 would have parking with direct access to the highway. This is considered to be an acceptable solution given similar access arrangements in the area. The parking area on the corner of Byron Crescent and Dickens Road has been amended to allow for entering and exiting in a forward gear in accordance with LCC Highways advice and is considered to be acceptable.
42. It is noted that 2.0m wide footways have been added along a widened footway to link the existing footways of Shelley Close.
43. In considering the wider access arrangements, it is noted that there are a number of bus services available from Spendmore Lane within 400m of the site. This provides the benefit of realistic sustainable transport alternatives. There are also a number of amenities in the locality and within the local centre at Spendmore Lane, which can be accessed on foot. The location is therefore considered to be a sustainable one.
44. It is noted that there are no objections to the proposal in principle from LCC Highways and that all recommendations made by the Highway officer have been accommodated within the scheme. It is therefore considered that there would be no harm to Highway Safety as a result of the proposed development, and that the site is in an accessible location.

Ecology

45. The site is predominantly made up of amenity grassland, buildings / hardstanding, and scattered trees. As such the site as a whole is of low ecological value and is a typical previously developed and grassed suburban site.
46. There are no tree species on site which are afforded statutory protection or are worthy of protection under a tree preservation order (TPO). Trees to be retained on site should be protected during any site clearance and construction works through the use of root protection areas.
47. The hedges and scrub on site have potential to be used by foraging and breeding birds, and therefore any removal of such vegetation should not be undertaken in the main bird breeding season (March to July inclusive), unless nesting birds are found to be absent, by a suitably qualified person. A condition is recommended to secure this.
48. The application site is not of substantive ecological value. It is not designated for its nature conservation value and is considered to have only low potential to support any specially protected species or habitats.

Section 106 Agreement

49. The proposed development would generate a requirement for the provision of public open space in line with policies HS4a and HS4b of the Chorley Local Plan 2012 – 2026 and the Open Space and Playing Pitch SPD. The applicant has submitted a viability assessment that demonstrates only a small profit would have been made after 30 years after taking into account all the building costs, fees, management, voids, rents during that period. After that time, the development would be ready for refurbishment. On that basis a contribution towards POS would damage the viability of the scheme to such an extent that the development would be unviable. This report has been assessed and corroborated by the Council's Property Services team. On this basis it is considered that a contribution towards the provision or improvement of public open space (POS) should be waived in this instance.
50. The proposal involves the loss of land allocated as open space under policy HW2 in the Local Plan. Policy HW2 protects all existing open space, sport and recreational facilities and requires alternative provision to be made under criterion a) of the policy unless the proposal satisfies all of criteria b) to e). The proposal does not accord with criterion b) of policy HW2 because there is a deficit of such provision in Coppull, or criterion c) as the site was assessed as high quality and high value in the Open Space Study. Therefore, in order to satisfy this policy, alternative provision is required under criterion a).
51. The grant of planning permission is subject to the applicant entering into a Section 106 agreement to make alternative provision or improvement to offset the loss of the public open space in line with policy HW2 of the Chorley Local Plan 2012 – 2026.

CIL

52. The proposed development is CIL chargeable, however, social housing relief has been sought on the basis that the development is for affordable rented housing.

Sustainable Resources

53. The 2015 Deregulation Bill received Royal Assent on Thursday 26th March 2015 which effectively removes Code for Sustainable Homes. The Bill does include transitional provisions which include:
54. *"For the specific issue of energy performance, local planning authorities will continue to be able to set and apply policies in their Local Plans which require compliance with energy performance standards that exceed the energy requirements of Building Regulations until commencement of amendments to the Planning and Energy Act 2008 in the Deregulation Bill 2015. This is expected to happen alongside the introduction of zero carbon homes policy in late 2016. The government has stated that, from then, the energy performance requirements in Building Regulations will be set at a level equivalent to the (outgoing) Code for Sustainable Homes Level 4. Until the amendment is commenced, we would expect local planning authorities to take this statement of*

the government's intention into account in applying existing policies and not set conditions with requirements above a Code Level 4 equivalent."

55. *"Where there is an existing plan policy which references the Code for Sustainable Homes, authorities may continue to apply a requirement for a water efficiency standard equivalent to the new national technical standard, or in the case of energy a standard consistent with the policy set out in the earlier paragraph in this statement, concerning energy performance."*
56. The applicant has submitted a viability assessment that demonstrates only a small profit would have been made after 30 years after taking into account all the building costs, fees, management, voids, rents during that period. After that time, the development would be ready for refurbishment. On that basis developing to a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations would damage the viability of the scheme to such an extent that the development would be unviable. This report has been assessed and corroborated by the Council's Property Services team. On this basis it is considered that the imposition of a condition requiring all the new dwellings to achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations can be waived in this instance.

Other matters

57. Some residents have commented that they would not be able to see their children using the play area from their homes as the new housing would restrict views: This is not a material planning consideration.
58. Concerns have been expressed that the proposed development would encourage anti-social behaviour from unwanted persons hanging around and feeling it is ok to loiter/drink/take drugs/vandalise etc in the ginnel: There is already an existing ginnel to the rear of number 1 to 7 Shelley Close, which can be accessed currently. The presence of additional dwellings is likely to deter loitering through additional surveillance.
59. Objections have also been made that the proposed development would lower the tone, decrease house prices, and ruin the area: It is not considered that the proposed development would lead to any degeneration of the local area. There is no evidence to support the theory that house prices would be devalued as a result of the proposed development and this is not a material planning matter in any case.

Overall Conclusion

60. The proposed development would have the benefit of providing new affordable housing in a sustainable location. The proposal would have no unacceptable detrimental impact on the amenity of neighbouring occupiers and would not cause unacceptable harm to appearance of the site and character of the area. In addition adequate parking is provided. The retention of the public open space is not considered to be a necessity in this instance on the basis that the loss is offset by alternative provision or improvement secured through an off-site contribution. On the basis of the above, it is recommended that planning permission be granted.

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

There is no planning history that is of relevance at the site.

Suggested Conditions

Conditions to follow on addendum