

Item A. 2	07/01140/FULMAJ	Permit (Subject to Legal Agreement)
Case Officer	Mrs Nicola Hopkins	
Ward	Chorley North West	
Proposal	Proposed 16 No. apartments and dwellings.	
Location	Land Formerly DTC Cars Westminster Road Chorley	
Applicant	Mr A Allen	
	<p>8 letters of objection have been received from neighbours Consultation expiry: 21st November 2007 Application expiry: 1st January 2008</p>	
Proposal	<p>The site comprises of a former builders yard with associated garages and outbuildings. The application relates to the erection of 16 apartments at Westminster Road and Alker Street Chorley. The apartments will be located within two blocks, Block A and Block B, and comprise of 8 one bedroom apartments, 4 two bedroom apartments and 4 three bedroom apartments.</p> <p>Block A faces onto Westminster Road whilst Block B will be located on Alker Street. The one bedroom apartments will be located at ground floor level whilst the remaining apartments will be located at first and within the roof space. A central communal area will be situated between the two apartment blocks.</p>	
Planning Policy	<p>PPS3, PPS23. DP1, DP3, UR7, UR9 (NWRSS). Policy 7, Policy 12,</p> <p>Supplementary Planning Guidance: 'Access and Parking' (JLSP). GN1, HS4, HS7, TR4, Managing Housing Land Explanatory Note (ACBLPR)</p>	
Planning History	07/00871/FUL -Erection of 5 terraced houses. Approved October 2007.	
Applicant's Case	<p>The following comments have been forwarded in support of the application:</p> <ul style="list-style-type: none"> • There is a major bus route passing within 200m of the site with access to shops, supermarket, railways and schools • All main services are available to the site along with fire brigade access • The proposal involves the demolition of an unsightly building • The site is allocated under Policy HS7 of the Local Plan which states that it is desirable to use these sites in a residential capacity • The proposal has been designed to accord with LP Policy HS4 • The design has arrived on the basis of the appearance of the existing properties in the area • The proposal represents a positive environmental benefit • The scheme promotes sustainable residential development in this town centre location 	

- Representations** 8 letter of objection have been received raising the following points:
- Loss of daylight and privacy
 - Lack of parking and increase in traffic
 - Impact on existing properties from construction process
 - Access to the properties
 - Loss of house value
 - Subsidence problems
 - What will be the tenure of the new properties?

Consultations **United Utilities** have no objection to the scheme subject to certain conditions/informatives.

Director of Streetscenes, Neighbourhoods and the Environment (Environmental Services) has no objection to the scheme subject to a contamination survey condition

Assessment

Principle of the Development

The application site is currently occupied by various single storey workshop buildings which were last utilised by a builders merchants. The site is located close to Chorley Town Centre in a predominantly residential area.

In accordance with Planning Policy Statement 3: Housing the site is considered to be brownfield land/ previously developed land. Previously developed land is land which is or was last occupied by a permanent structure including the curtilage of the developed land and any associated fixed surface infrastructure. PPS3 encourages the redevelopment of previously developed land as opposed to developing Greenfield land. As such the principle of redeveloping the site for residential development accords with Government guidance.

In addition to the advice contained in PPS3 the site is also allocated within the Adopted Local Plan as land suitable for housing redevelopment, Policy HS7. On such sites the proximity of the employment use to residential properties is a concern due to the potential adverse impact the employment use may have on the neighbours amenities. As such favourable consideration will be given to the site as being suitable for residential development. As such the principal of redeveloping the site for housing is considered to be acceptable.

Design of the scheme

The immediate surrounding area is characterised by traditional two storey terraced properties. The proposal incorporates the erection of two blocks, one adjacent to Alker Street and one adjacent to Westminster Road. The properties are designed as two storey terraced properties replicating the street scene although the proposed dwellings do incorporate living accommodation within the roof space.

Block B is adjacent to Alker Street and due to the necessary configuration of the internal space the rear elevation of the properties actually faces Alker Street. To ensure that the properties compliment the character of the existing street scene a feature door has been incorporated into the elevation facing Alker Street. This will not be a functioning door however this

feature will ensure the properties match the character of the street scene.

A communal area will be provided between the two blocks providing a landscaped area and areas for the bins. Pedestrian access to the properties within Block B will be via an existing side accessway off Alker Street.

Layout

As stated earlier the immediate area is characterised by traditional terraced properties. The existing properties do not accord with the Council's Spacing Standards in respect of window to window distances. There is approximately 11.3 metres retained between the two blocks excluding the stair cases.

The configuration of the properties has been designed to protect the amenities of the future residents. Although only a small distance is retained between the properties windows to habitable rooms do not directly face one another and as such there will be no loss of privacy or amenity to the detriment of the future residents.

The proposed dwellings will be attached to the block of terraced properties located on Westminster Road and adjacent to the terraced properties located on Alker Street and there are no windows proposed in the side elevations of the blocks. As such the proposals will not adversely impact on the neighbours amenities. The properties located on Regent Road, to the south of the site, will be sited approximately 10 metres from the end gable wall of the proposed dwellings. This does not strictly accord with the 12 metre window to gable distance set out within the Council's Approved Spacing Standards. However due to the dense nature of the surrounding area and the existing use of the site it is not considered that the proposed dwellings will adversely impact on the neighbours amenities in terms of loss of outlook.

The concern of local residents about the possibility of damage to existing property caused by the construction process is noted, however this is essentially a private matter between the parties involved. The developer has a 'duty of care', and the applicant will be informed of the concerns raised. Noise and disruption during construction works is an unfortunate but inevitable consequence of any development, and cannot be taken into account when determining planning applications.

Highway Safety

The proposal incorporates the creation of 16 new dwelling units. The site is located close to Chorley Town Centre, local amenities and is well served by public transport. The scheme does not include any off street parking provision and a number of the neighbours have raised concerns in respect of the lack of parking and further problems created by additional properties.

Although no off street parking is proposed as part of the development the site is considered to be within a sustainable location in terms of its proximity to the town centre and local services. The site is well served by public transport, the site is approximately 200m from a major bus route, and as such the site is considered to be very accessible. Therefore it is not

considered that off street parking provision is required as part of this proposal.

At the time of writing this report no comments had been received from Lancashire County Council Highways however the development of this site forms part of the wider development of the area. An application for five terraced dwellings was approved earlier this year on the opposite side of Alker Street (07/00871/FUL). LCC Highways did not consider that off street parking was required as part of the previous scheme as on street parking will be available to the front of the properties.

In addition to this the highway between no.10 Alker Street and Regent Road is unadopted. As part of the previous application the applicant proposed to make the highway in front of the development up to an adopted standard, including the creation of a pavement. During the pre-application discussions the applicant for this application agreed to make up the highway in conjunction with the applicant for the previous application. This will be subject to a separate legal agreement with Highways. This adopted highway is considered to be sufficient for bin wagon access in accordance with the guidance contained in the 'Manual for Streets' document. The highway between no. 20 and 26 Regent Road will remain unadopted, although this is still passable for vehicular access. Whilst it would be preferable if the whole of the unadopted stretch of highway were adopted, due to uncertainty over land ownership, Highways had no objection to this scheme as a 'stop-gap' measure.

Housing provision

In accordance with Policy 12 of the Joint Lancashire Structure Plan proposals for over 9 dwelling units are required to provide a proportion of affordable units, a minimum of 30%. This scheme does not incorporate affordable units however the site enables the regeneration of a brownfield site within a predominantly residential area.

The site is allocated under Policy HS7 of the Local Plan. Such sites were not subject to the Windfall Housing Restrictions as it was considered beneficial to develop them for housing. As such there would have been no requirement for affordable housing when the Windfall Housing SPG was in force.

Additionally the proposal incorporates a range of units including one bedroom apartments. These would be amongst the cheapest new build within the town centre. Taking into account the above considerations the provision of affordable housing is not considered to be required as part of the proposal.

Employment Site

The site is an existing employment site and as such the provisions of Policy EM9 of the Local Plan should apply. Policy EM9 states that the redevelopment of existing employment sites for non-employment uses will only be considered if evidence is provided that the employment use is no longer viable and there is no potential to continue utilising the site for employment purposes.

The site has not been marketed in accordance with Policy EM9 however this site is also a designated site for the residential

redevelopment. Due to the sites proximity to residential properties it is considered that further employment use of the site has the potential to detrimentally impact on the neighbours amenities and as such is no longer appropriate. As such the specific nature of the site and the proposed use accords with the exceptions set out within Policy EM9.

Conclusion

The proposal enables the regeneration of an existing employment site located within a predominantly residential area. The range of units proposed will serve the wider community and the design of the scheme ensures the proposal compliments the character of the surrounding area.

In terms of the highway implications of the scheme off street parking is not considered to be necessary in this location and the 'making-up' of the unadopted highway will benefit the area.

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 51 of the Planning and Compulsory Purchase Act 2004.

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. HS4 of the Adopted Chorley Borough Local Plan Review.

3. 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.

4. 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.

5. Surface water must drain separate from the foul and no surface water will be permitted to discharge to the foul sewerage system.

Reason: To secure proper drainage and in accordance with Policy Nos. EP17 of the Adopted Chorley Borough Local Plan Review.

6. The development hereby permitted shall not commence until full details of the colour, form and texture of all hard ground- surfacing materials (notwithstanding any such detail 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 in conformity with the approved details.

Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policy Nos. HS4 of the Adopted Chorley Borough Local Plan Review.

7. No development shall take place until :

- a) a methodology for investigation and assessment of ground contamination has been submitted to and approved in writing by the Local Planning Authority. The investigation and assessment shall be carried out in accordance with current best practice including British Standard 10175:2001 "Investigation of potentially contaminated sites – Code of Practice". The objectives of the investigation shall be, but not limited to, identifying the type(s), nature and extent of contamination present to the site, risks to receptors and potential for migration within and beyond the site boundary;
- b) all testing specified in the approved scheme (submitted under a) and the results of the investigation and risk assessment, together with remediation proposals to render the site capable of development have been submitted to the Local Planning Authority;
- c) the Local Planning Authority has given written approval to the remediation proposals (submitted under b), which shall include an implementation timetable and monitoring proposals. Upon completion of the remediation works, a validation report containing any validation sampling results have been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use and in accordance with Policy No. EP16 of the Adopted Chorley Borough Local Plan Review.

8. Prior to the commencement of the development full details of the proposed bin stores 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 details.
Reason: In the interests of the visual amenities of the area and in accordance with Policy GN5 of the Adopted Chorley Borough Local Plan Review.
