

APPLICATION REPORT – 18/00331/FUL

Validation Date: 3 April 2018

Ward: Chorley North West

Type of Application: Full Planning

Proposal: Erection of a detached dormer bungalow dwelling (following demolition of garages and carport)

Location: 5 Glamis Drive Chorley PR7 1LX

Case Officer: Chris Smith

Applicant: Mr John Adshead

Agent: Chris Weetman

Consultation expiry: 27 April 2018

Decision due by: 14 September 2018

UPDATE REPORT

The recommendation remains that full planning permission be granted subject to conditions.

Members will recall that this application was deferred at the Development Control Committee meeting held on 14 August 2018 to allow time for Members to visit the site of the proposal. The original committee report from 14 August 2018 follows on below.

PREVIOUS REPORT

RECOMMENDATION

1. It is recommended that planning permission is granted subject to conditions.

SITE DESCRIPTION

2. The application site is located in the settlement of Chorley and is occupied by a double car port, attached double garage and part of the side and rear garden of number 5 Glamis Drive. There is driveway access to the car port and garage from Glamis Drive. The character of the area is residential with primarily bungalow and dormer bungalow properties to the north of Glamis Drive and semi-detached two storey dwellings to the south of Glamis Drive.

DESCRIPTION OF PROPOSED DEVELOPMENT

3. This application seeks planning permission for the erection of a detached dormer bungalow (following demolition of garages and car port). The proposed new dwelling would be located on the area currently occupied by the car port, double garage and part of the side and rear garden to no. 5 Glamis Drive. Access to the proposed dwelling would be taken from Glamis Drive and the eaves and ridge heights of the proposed dormer bungalow would be 2.3m and 6.3m respectively.

4. Amended plans have been provided since the application was first submitted proposing two smaller front dormers rather than the single large dormer initially proposed.

REPRESENTATIONS

5. Objections have been received from 6 addresses. These relate to the following issues:
 - Impact on local parking conditions and congestion
 - Overdevelopment of the plot
 - Overshadowing and overbearing impacts on neighbouring properties
 - Loss of privacy to neighbouring properties
 - Visual intrusion
 - Loss of views from neighbouring properties to Astley Park woodland
 - Proposed development is out of character with the area
 - Noise disruption and pollution
 - Development is not required to meet Chorley housing targets
 - Chorley Local Plan states that residential garden development can have a negative impact on an area
 - Parking area to proposed bungalow and existing dwelling will appear out of character
 - Applicant currently uses driveway to store vehicles in association with a business
 - Proposed development conflicts with Policy HS3 of the Local Plan and Policy 17 of the Core Strategy
 - Exceptional circumstances are required for residential garden development in areas where character is defined by low density housing set in mature generous gardens
 - Application site is not an infill plot
 - Residential gardens are classed as greenfield land in built up areas.
 - Proposed development is in conflict with Core Strategy Policy 17 as it is unsympathetic to current occupiers.

CONSULTATIONS

6. Greater Manchester Ecology Unit have not objected to the proposed development but have recommended that a condition is attached to any planning permission relating to the timing of tree and shrub removal works.
7. Lancashire Highway Services have confirmed that they do not object to the proposed development.
8. United Utilities have made general comments on water and drainage and recommended the attachment of a condition to any planning permission.
9. CIL Officers have confirmed that this development will be CIL Liable if approved.

PLANNING CONSIDERATIONS

10. The main issues for consideration are as follows:

Principle of development

11. 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.
12. Policy 1(b) of the Central Lancashire Core Strategy states that growth and investment will be concentrated in Key Service Centres including Chorley Town, where the site is located, therefore the proposed development is in line with this policy.

13. 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 within easy access of amenities such as shops, schools, churches and community facilities. The Framework also states that development in sustainable locations should be approved without delay.
14. Policy HS3 of the Chorley Local Plan 2012 - 2026 states that development within private residential gardens on sites not allocated for housing will only be permitted for:
- (a) appropriately designed and located replacement dwellings where there is no more than one for one replacement.
 - (b) the conversion and extension of domestic buildings.
 - (c) infill development on gardens which is classified as the filling of a small gap in an otherwise built up street frontage which is typically a gap which could be filled by one or possibly two houses of a type in keeping with the character of the street frontage.
15. It is considered that the application site does form an infill plot in an existing street frontage as defined in Policy HS3 criteria (c) as it represents a gap in the built up frontage which could be filled by a house of a type in keeping with the character of the street frontage.
16. The supporting text to Policy HS3 states that garden developments are of some concern because they can have a negative impact on an area. It is also stated that in areas that are particularly sensitive to the potential negative impact of garden development such as locally important areas and other areas where character is defined by low density housing set in mature generous gardens and where development could have a detrimental impact on heritage assets such as listed buildings, conservation areas and locally important areas, that garden development will only be approved in exceptional circumstances.
17. The density of development in the vicinity of the application site is generally low but the gardens are not considered to be particularly mature or overly generous and given that the proposed development is not located in a Locally Important Area and would not have an adverse impact on heritage assets, it is not considered that the area is particularly sensitive to the potential negative impact of garden development. Exceptional circumstances would therefore not need to be demonstrated.
18. Paragraph 5.29 of the preamble to Policy HS3 states that when assessing applications for garden sites the Council will also have regard to the relationship of development to the surrounding character in terms of density, siting, layout, massing, scale, design, materials building to plot ratio and landscaping. The preamble also states that when assessing applications for garden sites, the Council will have a particular regard to Policy BNE1: Design Criteria for New Development. This specific policy along with any Supplementary Planning Guidance will work alongside Policy HS3 to ensure development is appropriate and takes account of the character and surrounding area of any proposed development. The proposed development is considered in detail against Policy BNE1 below.
19. The preamble to Policy HS3 also states that the Council will have regard to sustainability issues such as access to public transport, school, businesses and local services and facilities. In terms of this issue there are factors which weigh in favour of the proposal as the site is located with a good level of accessibility to shops, schools and other services and amenities, public transport and local employment opportunities.

Impact on character and appearance of the locality

20. *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.*
21. The streetscape varies considerably with dwellings to the north of Glamis Drive, on Hampton Close, Belvedere Close and Chatsworth Close typically being true bungalows, dormer

bungalows or two storey detached dwellings with a separation between dwellings ranging from 2m to 7m. It is noted that no. 1 Belvedere Drive, located immediately to the east of the application site is a two storey dwelling. It is also noted that no's 7 – 15 Glamis Drive in particular display a greater density of development with smaller gaps between dwellings in the built up frontage. To the south of Glamis Drive a mixture of bungalows and two storey semi-detached dwellings have a separation between dwellings ranging from 2 -5m.

22. The proposed dwelling would be aligned with the front and rear elevations of no. 5 Glamis Drive and the side elevation of no. 1 Belvedere Drive. The positioning would be such that it would be clearly visible from public areas within the streetscene.
23. The proposed development would increase the building to plot ratio in the immediate vicinity of the application site, however, this would not be uncharacteristically high for the location and the separation distance of 2m between no. 5 Glamis Drive and the proposed dwelling would not be uncharacteristic within the local streetscene. Subsequently, it is not considered that this would represent a cramped form of development and the relationship with neighbouring dwellings would be satisfactory.
24. The proposed car parking spaces to the front of both the proposed dwelling and no. 5 Glamis Drive would increase the proportion of hard surfacing in the immediate vicinity of the application site, however, in the context of the existing parking areas to dwellings immediately to the south of Glamis Drive it is considered that this would not be inappropriate within the character of the wider streetscene.
25. For these reasons it is not considered that the proposed development would have any unacceptable adverse impact on the character and appearance of the locality.

Impact on neighbour amenity

26. *Policy 17 of the Central Lancashire Adopted Core Strategy 2012 states that the design of new buildings will be expected to take account of the character and appearance of the local area including being sympathetic to surrounding land uses and occupiers, and avoiding demonstrable harm to the amenities of the local area.*
27. *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.*
28. The application site shares boundaries with adjacent properties to the north, east and west and there are dwellings directly opposite across Glamis Drive.
29. The main rear elevation of the proposed dwelling would be located approximately 6.3m from the rear garden boundary with no. 2 Chatsworth Close. There would be no rear facing windows to the proposed dwelling at first floor level as the proposed roof lights would be located at a height of 1.7m above floor level so overlooking views to the rear would not be possible. The proposed dormer windows in the front elevation would be located over 29m from the habitable room windows in the properties opposite at 24 and 26 Glamis Drive. The blank side elevation of the proposed bungalow would be located approximately 18m from the rear facing habitable windows of no. 1 Belvedere Drive.
30. To ensure that suitable boundary treatments are provided to protect neighbour amenity with regard to views from ground floor windows a condition shall be attached to any planning permission.
31. In the context set out above, it is considered that the resultant relationship between the proposed dwelling and its neighbours would be acceptable and would not result in harm by virtue of overlooking, overshadowing, or by creating an overbearing impact.

Highways

32. *The Council's parking standards (policy ST4 of the Local Plan) require that dwellings with two bedrooms should have at least two off road parking spaces.*

33. No 5 Glamis Drive currently has a two space carport and two single garages combined with driveway car parking for a further vehicle, taking the total to five spaces. It is proposed that two off street car parking spaces would be provided to both the existing no. 5 Glamis Drive and the proposed new dwelling along with an additional attached single garage to the new dwelling.

34. It is noted that LCC Highways initially objected to the proposed development on the basis of insufficient off street parking provision, however, the site plan demonstrates that 2 no. off street car parking spaces would be provided to both the existing and new dwellings in addition to the attached single garage. LCC Highways have subsequently removed their objection to the proposed development. It is therefore considered that the proposed development would be compliant with Policy ST4.

OTHER MATTERS

The following provides a response to the remaining objections:

35. The applicant runs a car sales business from the application site.

Any planning permission would not grant consent for any change of use allowing a business to be run from the premises therefore this is not a material planning consideration.

36. Loss of view.

The right to a view is not a material planning consideration.

37. Disruption during construction

Noise and disturbance created by construction is not a material planning consideration.

CONCLUSION

38. The proposed development would not result in any unacceptable harm to the character of the area, the amenities of neighbouring occupiers or highway safety. The development therefore complies with Chorley Local Plan Policies HS3, BNE1 and ST4.

RELEVANT HISTORY OF THE SITE

Ref: 80/00261/FUL **Decision:** PERFPP **Decision Date:** 9 April 1980

Description: Garage

Ref: 80/00614/FUL **Decision:** PERFPP **Decision Date:** 7 July 1980

Description: Conservatory

RELEVANT 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.

Suggested Conditions

| No. | Condition | | | | | | | | | | | | | | | | | | |
|--------------------|--|---------------|-------------------|---------------|---------------|-----|------------|--------------------|-----------|------------|--------------|-----------------|------------|-------------|-----------------|------------|------------|-----------------|------------|
| 1. | <p>The proposed development must be begun not later than three years from the date of this permission.</p> <p><i>Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004</i></p> | | | | | | | | | | | | | | | | | | |
| 2. | <p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <table border="1" data-bbox="336 533 1318 725"> <thead> <tr> <th data-bbox="336 533 759 566">Title</th> <th data-bbox="759 533 1043 566">Drawing Reference</th> <th data-bbox="1043 533 1318 566">Received date</th> </tr> </thead> <tbody> <tr> <td data-bbox="336 566 759 600">Location Plan</td> <td data-bbox="759 566 1043 600">N/A</td> <td data-bbox="1043 566 1318 600">03.04.2018</td> </tr> <tr> <td data-bbox="336 600 759 633">Proposed Site Plan</td> <td data-bbox="759 600 1043 633">AJ/18/103</td> <td data-bbox="1043 600 1318 633">03.04.2018</td> </tr> <tr> <td data-bbox="336 633 759 667">Ground Floor</td> <td data-bbox="759 633 1043 667">AJ/18/104 Rev A</td> <td data-bbox="1043 633 1318 667">25.05.2018</td> </tr> <tr> <td data-bbox="336 667 759 701">First Floor</td> <td data-bbox="759 667 1043 701">AJ/18/105 Rev A</td> <td data-bbox="1043 667 1318 701">25.05.2018</td> </tr> <tr> <td data-bbox="336 701 759 734">Elevations</td> <td data-bbox="759 701 1043 734">AJ/18/106 Rev B</td> <td data-bbox="1043 701 1318 734">05.06.2018</td> </tr> </tbody> </table> <p><i>Reason: For the avoidance of doubt and in the interests of proper planning.</i></p> | Title | Drawing Reference | Received date | Location Plan | N/A | 03.04.2018 | Proposed Site Plan | AJ/18/103 | 03.04.2018 | Ground Floor | AJ/18/104 Rev A | 25.05.2018 | First Floor | AJ/18/105 Rev A | 25.05.2018 | Elevations | AJ/18/106 Rev B | 05.06.2018 |
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| Elevations | AJ/18/106 Rev B | 05.06.2018 | | | | | | | | | | | | | | | | | |
| 3. | <p>Prior to the commencement of development samples of all external facing and roofing materials (notwithstanding any details shown on previously submitted plan(s) and specification) shall be submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved.</p> <p><i>Reason: To ensure that the materials used are visually appropriate to the locality.</i></p> | | | | | | | | | | | | | | | | | | |
| 4. | <p>Any works to trees and shrubs should not be undertaken in the main bird breeding season (March-July inclusive), unless nesting birds have found to be absent, by a suitably qualified person.</p> <p><i>Reason: To avoid any potential harm to nesting birds.</i></p> | | | | | | | | | | | | | | | | | | |
| 5. | <p>All new dwellings are required to achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations.</p> <p><i>Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reduction as part of new residential schemes in the interests of minimising the environmental impact of the development.</i></p> | | | | | | | | | | | | | | | | | | |
| 6. | <p>Prior to the commencement of the development details shall be submitted to and approved in writing by the Local Planning Authority demonstrating that each dwelling will meet the required Dwelling Emission Rate. The development thereafter shall be completed in accordance with the approved details.</p> <p><i>Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reductions as part of new residential schemes in the interests of minimising the environmental impact of the development. This needs to be provided prior to the commencement so it can be assured that the design meets the required dwelling emission rate.</i></p> | | | | | | | | | | | | | | | | | | |

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| 7. | <p>No dwelling hereby approved shall be occupied until a SAP assessment (Standard Assessment Procedure), or other alternative proof of compliance (which has been previously agreed in writing by the Local Planning Authority) such as an Energy Performance Certificate, has been submitted to and approved in writing by the Local Planning Authority demonstrating that the dwelling has achieved the required Dwelling Emission Rate.</p> <p><i>Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reductions as part of new residential schemes in the interests of minimising the environmental impact of the development.</i></p> |
| 8. | <p>No part of the development shall be occupied or brought into use until the car parking areas shown on the approved plan(s) have been provided in full and are available for use. The car parking areas shall thereafter be kept available for the parking of cars at all times.</p> <p><i>Reason: In the interest of highway safety.</i></p> |
| 9. | <p>Foul and surface water shall be drained on separate systems. In the event of surface water discharging to public sewer, the rate of discharge shall be restricted to the lowest possible rate which shall be agreed with the statutory undertaker prior to connection to the public sewer.</p> <p><i>Reason: To secure proper drainage and to manage the risk of flooding and pollution.</i></p> |
| 10. | <p>Prior to the commencement of any development, full details of the alignment, height and appearance of all fences and walls to be erected to the site boundaries (notwithstanding any such detail shown on previously submitted plan(s)) 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.</p> <p><i>Reason: To ensure a visually satisfactory form of development and to protect the amenities of occupiers of nearby property.</i></p> |