

Application Number 07/2020/00788/FUL

Address 5 East Square
Longton
Lancashire
PR4 5NL

Applicant Thomas William Banks

Agent

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Development Erection of 1 No. detached two storey dwellinghouse with access off Long Croft

Officer Recommendation **Refusal**
Officer Name **Mrs Linda Ashcroft**

Date application valid 08.10.2020
Target Determination Date 03.12.2020
Extension of Time



1. **Introduction**

- 1.1 This application is being brought before the Planning Committee as the applicant is related to a member of staff and an elected member.

2. **Report Summary**

- 2.1 This application is in full and relates to the erection of 1 No. detached two storey dwellinghouse with access to be taken off Long Croft located to the north of the site.
- 2.2 The proposed dwelling will be constructed within part of the garden area of No. 5 and 6 East Square and is located within an existing built up area.
- 2.3 No objections have been received from statutory consultees.
- 2.4 A total of 15 separate letters of representation have been received from neighbouring properties.
- 2.5 The proposal has been assessed against current planning policies, including the national planning policy framework and the development plan policies.
- 2.6 The proposal is contrary to Policy G17 (Design Criteria for New Development) and therefore recommended for Refusal.

3. **Application Site and Surrounding Area**

- 3.1 The application site is located within the garden area of Nos. 5 and 6 East Square and is situated within a wholly residential area. Access to the site will be taken off Long Croft and is situated at the head of a cul de sac.
- 3.2 The northern boundary of the site (Long Croft) is separated by a 2m high timber fence with a 1.8m high timber fence to the eastern and southern boundaries. There is no boundary treatment between Nos. 5 and 6 East Square.
- 3.3 There are a number of conifer trees to the south east of the site which are situated within the garden area of No. 10 Dudley Close.
- 3.4 The site is located within the existing built up area as defined by Policy B1 in the Local Plan.

4. **Site History**

- 4.1 There is no planning history to report.

5. **Proposal**

- 5.1 Planning permission is sought for the erection of 1No. detached two storey dwellinghouse with access off Long Croft.
- 5.2 The proposed dwelling will have a footprint of some 7.1m by 9m consisting of two storeys with an a-symmetrical roof measuring 8.3m to the ridge; the eaves will measure a minimum of 4m and a maximum of 4.9m. The walls will be finished in light coloured render with areas of stone work at ground floor level and charcoal cladding to the covered entrance; grey Redland slate effect tiles are proposed to the roof.

- 5.3 The proposed dwelling will accommodate four bedrooms at first floor, including an en-suite and a separate bathroom.
- 5.4 Three parking spaces are to be provided to the front, the main garden area will be set to the side (west) of the dwelling and the boundary treatment to the south will consist of 1.85m high fencing together with trees to the part of the southern and western boundaries (adjacent side elevation of Nos. 5 and 6).
- 5.5 A refuse storage area and cycle store are proposed to the front westerly corner of the site which will be screened by existing 1.8m high timber fencing along the northern and western boundaries.
- 5.6 Nos. 5 and 6 East Square are within the ownership of the applicant who rents out these dwellings.

6. **Representations**

- 6.1 Two site notices have been posted, one on East Square and one on Long Croft and a total of 21 neighbours have been notified.

6.2 **Letters of Objection**

- 6.2.1 A total of 15 individual letters of objection have been received, two were requested to be confidential, two residents wrote in twice, one being a duplication.

- 6.2.2 Reasons for objection are:

6.2.3 **Highway Safety/Issues**

- Construction traffic will use Long Croft which is a narrow road
- Traffic congestion
- Restrict access for emergency services and larger vehicles
- Long Croft is already badly maintained
- Increased traffic
- Landsmoor Drive and Long Croft already busy and congested roads; Landsmoor Drive is used as a circular bus route
- Pavement areas of Long Croft are commonly used to play safely by small children
- Obstruction of driveways
- Residents of Landsmoor Drive already park on Long Croft
- Application needs to take into account disabled residents with mobility issues
- Highway safety issue due to the proximity of the access to No. 4 Long Croft
- East Square densely populated with cars parking on both drives and pavements
- Do not think sufficient parking spaces are possible hence cars will park on the pavements in Long Croft

6.2.4 **Character/Appearance/Residential Amenity**

- Ideal retirement environment will be destroyed
- Application constitutes a 'garden grab'
- Would overshadow and block out natural light
- Too large a property and not in keeping with the area
- Overlooking, loss of privacy to lounge, bedroom and garden
- Dwelling will be very close to the boundary of No. 5 Long Croft
- Overbearing
- Very little garden remaining at No. 5 and 6 East Square

- Trees adjacent No. 5 Long Croft and a property in Dudley Close; if these are ever cut down, the new dwelling would have an overbearing impact on other residents
- Loss of light and sunlight
- Proposed dwelling has a small garden area resulting in front driveway being used for recreational purposes

6.2.5 Other Issues

- Site address is East Square but access will be fronting Long Croft hence claiming a Long Croft postcode
- Believe dwelling will be occupied as an HMO/bedsits
- No. 6 East Square is being turned into a home in multiple occupation with 4 tenants; don't know where the additional three occupants will park
- Applicant will employ the cheapest builders who will start the job but will leave the project should problems arise
- Claimed CIL exemption but believe only allowed if applicant intends to live in property for 3 years
- Properties on East Square are valued less than those in Long Acre
- Will add to existing antisocial behaviour problems that the landlord of Nos. 5 and 6 East Square has failed to deal with
- When the properties on East Square were originally built, garages were proposed in the garden of Nos. 5 and 6 but as this would have required access from Long Croft, this was refused. Why isn't this the case now.
- Small piece of land which the Council do not maintain and could potentially be owned by No. 4 Long Croft
- Concerned that plans are being passed without careful consideration and thought for residents
- Reference was not made in the letter that access would be via Long Croft; this is misleading and may have deterred valid objections from residents
- Believe the applicant is not actually the owner of Nos. 5 and 6 East Square
- Noise from tenants of a 4 bedroom property
- Planning Committee should weigh up personal benefit against the detrimental effects caused to residents
- As a result of this application, one property has been put up for sale with another to follow

6.2.6 In addition to the above, visuals have been submitted from the occupiers of No. 4 Long Croft, which demonstrates that egress will potentially be unsafe should planning permission be granted for a dwelling to be accessed at this point.

6.2.7 In response to some of the objections raised under 'Other Issues', post codes, value of properties, potential builders, tenure/occupiers, land ownership (outside the site area), ongoing anti-social behaviour/noise issues and personal benefits to the applicant are not material planning considerations.

6.2.8 There is no indication within the application that the property will be used as a House in Multiple Occupation (HMO). In addition, a dwelling within a C3 Use Class (Dwellinghouse) can be converted to a HMO (Class C4 - Up to 6 tenants) without the requirement of planning permission.

6.2.9 In respect of the original development of the dwellings in East Square, these properties were formerly owned by the local authority. The Council's Senior Estates Surveyor has been consulted and has confirmed that none of the land is within the ownership of the Council.

6.2.10 Neighbours were initially notified on the 16 October but when it became apparent that the access was to be from Long Croft, the description was amended to this effect and all residents of Long Croft, who were not initially notified, were sent letters on the 20 October. A site notice was also posted on East Square and Long Croft on the 20 October.

6.2.11 Certificate A has been completed as part of the application which confirms that the applicant is the owner of the land which is the subject of the application.

7. **Summary of Responses**

7.1 **LCC Highways** comment that Long Croft is suitable to serve a development of this size and nature. A review of recorded accident data has found that there has been no incidents recorded within the vicinity of the site within the last 5 years. LCC Highways have confirmed that the parking arrangements are acceptable and is of the opinion that the proposal would not have a severe impact on highway safety or highway capacity within the immediate vicinity of the site and therefore has no objections.

7.1.1 Should the Local Planning Authority be minded to approve the application, a number of highway safety conditions have been requested together with informatives relating to highways works.

7.2 **Environmental Health** have raised no objection but have requested a number of conditions relating to burning of waste material/vegetation on site, dust management plan, hours of construction, wheel wash, piling, contaminated land desk study, contamination found during works, importation of material, air source heat pump details, biomass and provision of an electric vehicle recharge point.

7.3 The Council's **Arboriculturist** has raised no objection.

7.4 The Council's **Estates** Team have confirmed that they do not have an interest in the application site

7.5 **United Utilities** comment that the surface and foul water shall be dealt with separately. Details of a surface water drainage system shall be submitted based upon the principles set out in the NPPF subject to approval of the application.

8. **Material Considerations**

8.1 **Policy Considerations**

8.2 **NPPF**

8.2.1 The NPPF is a material planning consideration to which weight needs to be attached. The NPPF promotes a presumption in favour of sustainable development and supports sustainable economic development to deliver, amongst other things, homes.

8.2.2 Paragraph 122 of the NPPF advises that decisions should take in to account the desirability of maintaining an area's prevailing character and setting (including residential gardens).

8.3 **Core Strategy Policy Considerations**

8.3.1 Policy 1 (Locating Growth) of the Core Strategy encourages the focussing of growth and investment in the Key Service Centres of Chorley and Leyland and the other main urban areas in South Ribble.

8.3.2 Policy 5 (Housing Density) of the Core Strategy covers Housing Density and states:

“The authorities will secure densities of development which are in keeping with local areas and which will have no detrimental impact on the amenity, character, appearance, distinctiveness and environmental quality of an area, consideration will also be given to making efficient use of land.”

8.3.3 Policy 6 (Housing Quality) of the Core Strategy covers Housing Quality and aims at improving the quality of housing.

8.3.4 Policy 17 (Design of New Buildings) requires new buildings to be designed in a manner to take account of the character and appearance of the local area.

8.4 South Ribble Local Plan

8.4.1 Policy B1 (Existing Built-Up Area) allows for development provided, amongst other things, it complies with the requirements for parking, is in keeping with the character and appearance of the area and will not adversely affect the amenities of nearby residents.

8.4.2 Policy F1 (Parking Standards) requires car parking provision to accord with the parking standards. In respect of a two bed dwelling, two off road parking spaces are required.

8.4.3 Policy G17 (Design Criteria for New Development) permits development which does not have a detrimental impact on the existing building, neighbouring buildings or on the street scene by virtue of its design, height, scale, orientation, plot density, massing, proximity, or use of materials. Furthermore, the development should not cause harm to neighbouring property by leading to undue overlooking, overshadowing or have an overbearing effect.

9. Other Material Considerations

9.1 The main issues to consider include the details of the design of the dwelling, the impact upon residential amenity and highway matters.

9.2 Community Infrastructure Levy (CIL)

9.2.1 The Community Infrastructure Levy was adopted by the Council on 24 July 2013 and became effective on the 1 September 2013. The required monies, which the CIL charging schedule details £65/m² of floor space (multiplied by the BCIS Index Figure for the current year), would contribute to infrastructure requirements contained within the Regulation 123 list. The application is accompanied by a self-build exemption and therefore the development will not be liable to any CIL payment.

9.3 Suitability of Access

9.3.1 The access is proposed off Long Acre set to the north of the site at the head of a cul de sac. As the site forms part of the garden area of Nos. 5 and 6 East Square, there have been a number of objections received concerning the use of Long Acre as opposed to East Square. Due to the relationship of Nos. 5 and 6 East Square, access would not be possible off East Square. Lancashire County Council Highways have confirmed that the parking arrangements are acceptable and has raised no objection to the proposed development.

9.4 Parking Arrangements

- 9.4.1 The plans demonstrate a four bedroom dwelling for which three off road parking spaces are required. A proposed site plan demonstrates that this is achievable and as stated above, LCC Highways have confirmed that the parking arrangements are acceptable. The proposal therefore meets with the aims of Policy F1 in the South Ribble Local Plan.

9.5 Design, Appearance and Impact on Character of Area

- 9.5.1 The site forms part of the garden area of Nos. 5 and 6 East Square and is situated within a wholly residential area.
- 9.5.2 East Square consists of semi-detached and terraced two storey dwelling houses. Within Long Croft there are two storey semi-detached dwellinghouses on the western side and detached bungalows situated on the eastern side with semi-detached dormer bungalow properties situated within Landsmoor Drive.
- 9.5.3 No. 5 Long Acre lies immediately to the east of the site and a detached bungalow with an attached garage to the side which is set approximately 1m off the common boundary.
- 9.5.4 No. 4 Long Acre is set to the north of the site and is a two storey dwellinghouse.
- 9.5.5 The proposed dwelling will be set back from the main front elevation of No. 5 Long Croft by some 5m being approximately level with the attached garage.
- 9.5.6 In respect of the scale, design and appearance of the proposed dwelling, it is considered that this will not detract from the character and appearance of the street scene when viewed from Long Croft.
- 9.5.7 The proposed side garden area for the new dwelling will extend to the side of Nos. 5 and 6 East Square and will project forward of No. 5 by some 2m and by some 1.6m of No. 6. It is proposed to plant high trees in this area to provide screening.
- 9.5.8 Due to the siting of the proposal and its relationship to Nos. 5 and 6 East Square it is considered that the proposal will appear an incongruous feature in the street scene when viewed from East Square.

9.6 Relationship to Neighbours

- 9.6.1 The site will reduce the garden area of both Nos. 5 and 6 East Square considerably and will leave a 1.2m gap to the side of each dwelling for access to the rear. The garden area of the proposed dwelling will project forward of No. 5 by some 2m and by some 1.6m of No. 6. No. 5 East Square will have a rear garden length remaining of a minimum of 6.5m and a maximum of 8.8m; No. 6 will retain a minimum length of some 8.6m and a maximum length of some of some 10.6m, for the width of the dwelling with the addition of a pedestrian access width to the side.
- 9.6.2 The rear elevation of the proposed dwelling will be set 1m off the southern boundary with No. 6 East Square which will consist of a gable with a ridge height of 8.3m; this wall will be rendered and will have two ground floor windows into a kitchen area. There are no windows into the side facing elevation of No. 6 East Square.
- 9.6.3 The dwelling will be set some 11.4m from the side elevation of No. 5 East Square; this property has two clear glazed first floor windows into the side facing elevation which will be set some 1.2m from the common boundary; one of these windows is a secondary window to a front bedroom. There is a set of bi-folding doors proposed

into the ground floor west facing elevation and two windows into the first floor which will serve bed 1 and bed 4. The proposed facing elevation will have an eaves height of 4.9m with the ridge height standing at 8.3.

- 9.6.4 The proposed dwelling will be set approximately 1m from the adjacent bungalow at No. 5 Long Croft. This property has an attached garage to the side which is set some 1m off the common boundary and a greenhouse within the rear garden area adjacent the common boundary. There are mature trees to the rear of No. 5 Long Croft which would appear to be within the curtilage of No. 10 Dudley Close. The rear garden area of No. 5 is some 7m deep, the first 4.2m of this will be affected by the proposed dwelling.
- 9.6.5 The eastern elevation of the proposed dwelling will have an eaves height of 4m and a ridge height of 8.3; this facing wall will be finished in a light coloured render.

10. **CONCLUSION**

- 10.1 Due to the siting of the proposal and its relationship to Nos. 5 and 6 East Square (garden area) it is considered that the proposal will appear an incongruous feature in the street scene when viewed from East Square.
- 10.2 The proposed dwelling, within the garden area of Nos. 5 and 6 East Square would result in an unacceptable reduction in private amenity space for occupiers of No. 5 East Square.
- 10.3 The scale and siting of the dwelling would have a detrimental impact upon the occupiers of No. 5 Long Croft and No. 6 East Square by overshadowing and would appear overbearing when viewed from the garden areas.
- 10.4 Due to the scale and siting of the proposal, this will result in undue loss of privacy both to the occupiers of No. 5 East Square and any future occupiers of the proposed dwelling.
- 10.5 Due to the aforementioned the proposal is contrary to Policy G17 in the South Ribble Local Plan and as such is recommended for **Refusal**.

RECOMMENDATION:

Refusal.

REASONS FOR REFUSAL:

1. The siting of the proposed dwelling and the relationship of the boundary treatment of the garden area to Nos. 5 and 6 East Square, would appear an incongruous feature in the street scene and as such is contrary to Policy G17 of the South Ribble Local Plan.
2. The scale and siting of the proposed dwelling would have a detrimental impact upon adjacent residential properties by undue loss of private amenity space, privacy, overshadowing and would appear overbearing. As such the proposal is contrary to Policy G17 of the South Ribble Local Plan.

RELEVANT POLICY

NPPF National Planning Policy Framework

1 Locating Growth (Core Strategy Policy)

5	Housing Density (Core Strategy Policy)
6	Housing Quality (Core Strategy Policy)
17	Design of New Buildings (Core Strategy Policy)
POLB1	Existing Built-Up Areas
POLF1	Car Parking
POLG17	Design Criteria for New Development

Note:
