

Agenda Item A7	Committee Date 11 May 2009	Application Number 09/00182/FUL
Application Site Galgate Ex Service & Working Men's Club Chapel Street Galgate Lancaster	Proposal Demolition of former Social Club and construction of 4 dwellings with associated gardens and parking.	
Name of Applicant Norman Jackson (Contractors) Ltd	Name of Agent Richard Wooldridge	
Decision Target Date 12 May 2009	Reason For Delay None	
Case Officer	Mrs Jennifer Rehman	
Departure	None	
Summary of Recommendation	Recommend approval of planning permission subject to conditions and a Section 106 legal agreement covering public transport improvements.	

1.0 The Site and its Surroundings

- 1.1 The application site relates to the former Galgate Social Club, located to the east side of Chapel Street within the settlement of Galgate. Following many years as an active Working Men's Club, the use of the site has recently ceased and now lies vacant due to the Club no longer being financially viable.
- 1.2 The site occupies a 0.08 hectare parcel of land accessed directly off Chapel Street, passing a row of stone terraces known as Makinsons Row to the west of the site. The access to the site terminates at a small parking area to the front of the existing Club building. The site is 'backland' in character with dwellings and domestic curtilage abutting the site on all sides.
- 1.3 Surrounding properties are a mix of type, styles and designs, ranging from traditional stone terraces on Makinsons Row to modern housing designs on Crofters Fold located to the north and east of the site. This area is allocated on the Local Plan Proposals Map as a Housing Opportunity Site and has now been developed for this purpose. Immediately south of the site lies domestic curtilage to 29a Chapel Street and the grounds of Ellet St Johns C of E Primary School beyond.

2.0 The Proposal

- 2.1 Planning permission is sought for demolition of the existing clubhouse, site clearance and the erection of four, two-storey three-bedroom residential properties with associated gardens and parking for six vehicles. The proposed dwellings consist of two pairs of semi-detached properties designed to blend in with the Crofters Fold development. The external materials comprise of a combination of reconstituted stone and render, timber windows and doors under a concrete tile roof (Redland Richmond).

- 2.2 Each of the proposed dwellings has on-site allocated parking for one vehicle and a private rear garden measuring between 6 and 6.4 metres deep. The proposal also includes two visitor parking spaces and a small turning area. The access to the site remains unaltered from its existing use.
- 2.3 The application relates to the amended plans submitted on the 21 April 2009 which demonstrates that the garden depths are the same as previously permitted. This amended plan has also increased the separation distance between the proposed plot one and properties on Swaledale.

3.0 Site History

- 3.1 Despite numerous planning applications relating to extensions and alterations to the Social Club, the only relevant history relates to planning application number 08/00459/FUL, for the demolition of Galgate Social Club and the erection of four dwellinghouses. This application was presented to the Planning Committee on the 2 June 2008 and was subsequently granted planning permission, subject to various conditions including the provision of one of the dwellings for affordable housing. This decision was contrary to the Officer recommendation of refusal.
- 3.2 The site has been on the market for 11 months and has failed to gain any interest. The agent of the application informs me this is due to the site only offering 3 market houses and that in the current economic climate the provision of an affordable dwelling prevents the development of site from being feasible. Rather than applying to remove the affordable housing condition, the current applicant (Norman Jacksons) preferred to submit a completely separate application.

4.0 Consultation Responses

- 4.1 The following responses have been received from statutory consultees:

Statutory Consultee	Response
Environmental Health Services	Recommended conditions include: (i) restrictions on construction to 0800–1800 Monday to Friday and 0800-1400 on Saturdays only; (ii) no pile driving without prior notification; and, (iii) standard conditions in connection with potential land contamination and precautionary mitigation.
County Highways	They repeat their observations provided on 08/00459/FUL, which state that the site would be better suited to three properties; however there is an acceptable number of parking for the four dwellings and a turning facility available. They do have concerns over additional traffic at peak times. The County Council wish to make Chapel Street a 20mph zone. Based on Planning Obligations in Lancashire Policy this would require a contribution of £4680.00 in total. They also recommend secure lockable cycle storage should be provided.
Parish Council	No response within statutory timescale.
City Council (Direct) Service	No response within statutory timescale.

5.0 Neighbour Representations

- 5.1 To date 3 letters from a nearby resident has been received. The main concerns are as follows:
- Concerns over whether or not asbestos is present in the existing roof tiles and made measures have been put in place to ensure that contractors and residents are protected;
 - Loss of privacy and overlooking due to position of new buildings in proximity to neighbouring dwellings;
 - Increase in traffic would be a concern to pedestrian safety;
 - Disturbance to resident wildlife due to increase in noise;
 - Loss of a community facility;
 - New parking will restrict access to the private parking of Makinsons Row.

6.0 **Principal Development Plan Policies**

6.1 The Lancaster District Local Plan (LDLP) Proposals Map indicates that the application site is situated within an area of countryside. This allocation dictates, in part, the relevant policy considerations listed below:

6.2 Lancaster District Core Strategy (LDCS)

Policy **SC1**: Sustainable Development - seeks to ensure new development proposals are sustainable in terms of both location and design. This policy, albeit a generic overriding policy, states that sites should be previously developed and accessible to public transport, employment, leisure, education and community facilities.

Policy **SC3**: Rural Communities - identifies Galgate as one of the 8 villages within the District where a 10% allocation of housing is accommodated to meet local needs.

Policy **SC4**: Meeting the Districts Housing Requirements - seeks to manage and control the release of housing sites within the district in order to deliver and meet the housing requirements identified by the RSS.

Policy **SC5**: Achieving Quality in Design - seeks to ensure that new development contributes to the positive characteristics of its surroundings and the quality of life of the District by improving the quality of development and promoting good urban design. This policy supports regional and national agendas for raising the profile of good design in spatial planning.

Lancaster District Local Plan (LDLP)

Policy **H7** identifies Galgate as an existing rural settlement within which small-scale housing development will be permitted provided it is appropriate in terms of design and density and does not adversely affect the character of the area or residential amenity. This policy is partly superseded by the policies contained in the LDCS.

Policy **E4** relates to new development within the countryside area stating that development will only be permitted where it is in scale and keeping with the character of the landscape and is appropriate in terms of scale, siting, design and materials. It also seeks to ensure that development proposals will not have an adverse impact on nature conservation and to make satisfactory arrangements for parking and access.

Supplementary Planning Guidance 12 (SPG 12) sets out the Council's design and amenity standards for new residential development.

7.0 **Comment and Analysis**

7.1 The planning history referred to in paragraph 3.1 is relevant. The following paragraphs detail the considerations applied to the earlier application.

7.2 The Planning Service considered the initial submission for four dwellings to represent over-development of the plot and therefore inappropriate. Amendments were subsequently requested to reduce the scheme to a row of three dwellings to improve the design and layout of the scheme, in particular the amenity standards and parking arrangements. Requests were also made to provide either one affordable dwelling or a general transport contribution, in order to justify the development under the policy of housing restraint imposed at this time. The applicant failed to submit amended plans or indicate their agreement to the completion of a Legal Agreement. A recommendation of refusal was reached. However at the 2 June 2008 meeting Members resolved to grant approval, subject to a Legal Agreement for one affordable dwelling despite concerns remaining over the design and layout of the development.

7.3 As Members are aware the housing policy position has changed and SPG 16 (The Phasing of New Residential Development) no longer applies. There is no longer a requirement for the applicant to demonstrate exceptional justification for new residential development in this location. Given that the site has already been accepted as being appropriate for residential development (as a result of the granting of the previous consent) the principle is established. This is further emphasised by the fact that Galgate village is identified in the LDCS as one of eight villages within the District which are identified suitable for modest growth. In land use terms, the development of this site fully accords with the sustainable development objectives set out in Policy SC1 of the Core Strategy.

7.4 **Housing Provision**

The application submitted proposes four 3-bedroom market dwellings which supports the requirement for 10% of market housing to be three-bedroomed, as stated in the Strategic Housing Market Assessment. In this case there is no longer a planning requirement under both local and national policy for affordable housing to be provided as part of this scheme. It falls well below the affordable housing threshold of 15 dwellings as indicated in National Planning Policy Statement 3: Housing (PPS3).

7.5 **Character & Appearance**

The number and type of housing, together with the parking layout remains the same that the scheme granted in June 2008, with some minor changes to the fenestration detail, including the relocation of the front porches to the sides rather than centrally on the two semi-detached units.

7.6 The houses have been designed to blend in with the massing and style of the adjacent Crofters Fold development. The proposed materials described in paragraph 2.1 are considered appropriate to this site and the village as a whole. The use of stone, albeit reconstituted stone, helps the development fit in better with the character of the village and its surroundings.

7.7 In terms of streetscene, the backland character to the development means that the site will not over dominate the area or look overly out of place. It is set back in excess of 100 metres from Chapel Street and is unlikely to cause any undue harm to the character and appearance of the village.

7.8 **Residential Amenity**

The proposed properties are orientated east to west in order to protect neighbouring residential amenities. The side elevations of the proposed dwellings propose two small obscure glazed windows serving a landing at ground floor level and a bathroom at first floor. The separation distance between plot one and properties on Swaledale measures 12.05 metres. This stand-off distance is the same if not marginally better than the previous approval. The development shall be in excess of 24 metres from properties on Wharfedale. This separation distance is considered acceptable from a planning point of view and shall ensure that the development does not cause an undue overbearing impact or result in a loss of light or privacy to the adjacent dwellings on Wharfedale.

7.9 Given the site is considered backland in character, it is particularly important that the outlook for potential future occupiers is maximised through the design and development process. Regrettably however, the scheme approved last year did not attempt to improve the layout of the development or increase the levels of amenity space to each of the dwellings. Notwithstanding this and despite being contrary to the Council's Residential Design Code the application was permitted. In this regard, a refusal of planning permission on these grounds would be difficult to sustain given the earlier consent.

7.10 **Access & Traffic**

There is an established access to the site which serves the existing social club. In terms of vehicular traffic movement it is anticipated that the proposal will reduce the volume of traffic using the site junction, compared to likely traffic movement associated with the social club when in active use. The proposed parking arrangements offer 150% provision for on-site parking. In such a sustainable location this level of parking is deemed acceptable.

There is a small area for turning allowing vehicles to enter and leave the site in forward gears.

7.11 County Highways have requested a contribution of £4680.00 towards the Chapel Street 20 mph zone. The request for these contributions has been passed on to the applicants' agents and their response will be reported at the meeting.

7.12 A condition is imposed requiring cycle storage provision within the site.

7.13 **Other Considerations**

In accordance with national planning policy relating to land contamination, a number of conditions are recommended by the Environmental Health Service to ensure that the future use of the site is fully protected from any potential contaminated land or materials. These are imposed and there are no environmental objections. A specific condition relating to asbestos shall be imposed and should alleviate concerns raised by neighbouring residents.

8.0 Conclusions

8.1 In view of the previous approval of planning permission for four dwellinghouses and regard to the above considerations, I am of the opinion that the development should be supported.

Recommendation

That Planning Permission **BE GRANTED** subject to an agreement under Section 106 of the Town And Country Planning Act 1990 covering highway safety improvements, and conditions as follows:

1. Standard three year time limit
2. Standard amended plan condition dated 21 April 2009 (site plan only)
3. Development to be carried out in accordance with the approved plans
4. Details of all external materials and finishes to the dwellinghouses shall be submitted and agreed prior to the commencement of the development
5. Samples of stone, render and slate to be provided and agreed prior to the commencement of the development
6. Details of the external boundary treatments shall be submitted and agreed prior to the commencement of the development
7. Precise details of the windows, doors, verge, eaves and rainwater goods to be submitted and agreed prior to the commencement of the development
8. Provision of the detailed parking layout
9. The turning area to provided and keep free from parked vehicles or obstructions at all times
10. Standard landscaping condition
11. Standard hours of construction condition
12. Cycle storage to be provided. Details to be submitted and agreed prior to the commencement of the development
13. Standard land contamination condition
14. Details of any importation of soil, materials and hardcore
15. An asbestos survey to be conducted, submitted and agreed prior to the commencement of the development
16. Removal of permitted development rights
17. Details of surface water drainage to be submitted and agreed prior to the commencement of the development

Human Rights Act

This recommendation has been reached after consideration of the provisions of The Human Rights Act. Unless otherwise stated in this report, the issues arising do not appear to be of such magnitude to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.