

**Item**                                **10/00439/OUTMAJ**

**Case Officer**                    **Liz Beard**

**Ward**                                **Adlington & Anderton**

**Proposal**                        **Application for outline planning permission (access only) for the erection of up to 75 dwellings and a park and ride parking area for Adlington Railway Station.**

**Location**                        **Grove Farm Railway Road Adlington Chorley PR6 9RF**

**Applicant**                        **Hollins Strategic Land, Ms Margaret Hardman**

**Consultation expiry: 14 July 2010**

**Application expiry: 2 September 2010**

### **Proposal**

1. The application is an outline planning application for the erection of up to 75 dwellings and a park and ride area for Adlington Railway Station, on a site of 2.44 hectare, which equates to approximately 31 dwellings per hectare. The proposal includes access to the site, but all other matters are reserved for future consideration.
2. It is proposed to demolish the existing buildings on the site. The existing buildings are difficult to see from the frontage of the site, as the site is quite overgrown. There is an existing dwelling on the site and a collection of other buildings, which include small outbuildings and a greenhouse.
3. A new access is proposed from Railway Road, which will be 5.5m wide with 2.m footways on both sides of the carriageway. The visibility splay is shown to be 2.4m x 43.0m, on the plan, which forms part of the planning application. The existing access from Railway Road will be closed.
4. The site is an allocated employment site allocated under Policy EM1 of the Adopted Chorley Local Plan Review.

### **Recommendation**

5. It is recommended that this application be refused.

### **Main Issues**

6. The main issues for consideration in respect of this planning application are:
  - Principle of Development
  - Access
  - Affordable Housing
  - Park and Ride Facility
  - Design Issues
  - Trees and Vegetation
  - Impact on Local Services
  - Highway Safety
  - Section 106 Agreement

### **Representations**

7. 26 letters of objection have been received raising the following points:
  - Concern about extra traffic on the road, which is already busy.
  - Difficulty opening the information on line.
  - Proposed junction with Railway Road would be unsafe due to its poor visibility both up and down Railway Road.

- Park and Ride traffic will be at the same time as school traffic.
- Proposed development not in keeping with other property in the area.
- Existing houses are predominantly bungalows and cottages and the proposed two and three storey houses would have an adverse affect on their privacy and outlook.
- Extra housing could lead to increase in noise & crime, again affecting the quality of life of existing residents.
- Existing sewerage and drainage systems would be put under increased pressure by extra housing.
- Development could lead the way to further development of other land in the adjoining area.
- Planning application not for redevelopment but for a new development.
- There is no requirement for 55 park and ride spaces, only a few cars are daily parked near the station for 'park & ride' reasons.
- The 55 car parking spaces are only created as extra parking spaces for residents of proposed development.
- Scale of development is too large for this area.
- Proposed 75 dwellings have a negative impact on our privacy and views to the front.
- It is a Greenfield site.
- The 30 mph limit is already busy for users of the school, churches, library and popular Community Centre.
- Bring more cars onto a congested road, which creates issues for the safety of pedestrians and road users entering and exiting the proposed site.
- Been said that Buckshaw will provide all required housing for coming years for Chorley Borough.
- This proposed development is designed to attract motorway users.
- Concerned for the habitat of the local wildlife.
- Do not believe that there is the demand for Adlington for additional 75 new homes.
- If planning permission granted an irreversible effect on the environment.
- Put a strain in existing services.
- If drainage ditch between the site and Mayfield Avenue is not reinstated then this will cause gardens to flood again.
- Concern that drive bats out of the area.
- No desire to be looking out at yet more three storey housing developments. These are very intrusive and not in keeping with the surrounding property.
- Trees and vegetation on front of proposed development have a TPO7 on them since 2006.
- Close proximity to the existing houses will reduce the amount of light and sunshine and will increase the noise and disturbance in a very quiet area.
- Concerned that there has been no consideration of the impact that this would make to the environment and to existing services.

8. Adlington Town Council raise the following concerns;

- That they cannot see reasons to support the change of designation from industrial/commercial use in order to develop housing for which there is not an immediate or medium-term need.
- Railway Road is a narrow, very busy road, carrying a bus route and through traffic, and traffic feeding to and from Railway Road to a number of facilities.
- Traffic problems on Railway Road will be exacerbated by the Park and Ride facility proposed.
- Conservative Club may not be fully utilised but it is still used and adds further traffic problems.
- Adlington and District Community Centre is close to proposed houses with gable end (nearest to the application site) which houses the stage and sound production which will have a noise impact on any new houses.
- There is a culvert system on the site and Town Council cannot see any evidence that this issue has been investigated fully. Houses and hard standing will increase the incidence of surface run-off thus exacerbating wet conditions.

- It is important that the existing woodland is retained for birds and as a green buffer between any development and Railway Road.
- It is noted that the planning application identifies the presence of bats, within the area, and that appropriate steps must be taken to provide full protection.
- In recent years the population of Adlington has increased by approximately 20%. This proposed development would increase the population by approximately a further 5% placing a severe burden on local services. In the Town Council's view such a large development can only have a detrimental effect on local facilities and amenities, especially bearing in mind the already significant increase in population over the last few years.
- Should the residential development be permitted the Town Council sees a local need for affordable housing and would therefore seek that a much higher proportion of the development is devoted to that type of residential accommodation.
- The Town Council would strongly support conditions attached to the development for Equipped Play Space and LCC educational facilities.

### **Consultations**

9. Lancashire County Council (Ecology) states that the main ecological issues arising from this proposal include impacts on bats, habitat loss, impacts on breeding birds and the potential spread of Japanese Knotweed. Owing to the presence of bats (European Protected Species) the requirements of the Conservation of Habitats and Species Regulations 2010 will need to be applied to the planning decision. Paragraph 98 of DEFRA Circular 01/2005 indicates that where there may be harm to a protected species or habitat, then Natural England should be consulted before granting planning permission. If these requirements are adequately addressed and Chorley Borough Council are minded to approve the planning application, it will also need to be demonstrated that the landscaping/restoration/habitat creation proposals will maintain and enhance biodiversity interests as required by PPS9. This may be addressed at reserved matters stage or by an appropriate planning condition.
10. The Environment Agency no objections to the principle of development but suggest a planning conditions in relation to surface water drainage strategy, site investigation is carried out and scheme for the eradication of Japanese Knotweed is provided.
11. The Architectural Design and Crime Reduction Advisor no comments to make.
12. United Utilities have no objections in principle, no surface water allowed to be discharged into the system.
13. Lancashire County Council (Highways) any comments will be reported on the addendum.
14. Chorley's Waste & Contaminated Land Officer due to the sensitive end nature if the end user of the site then a condition in relation to an appropriate site investigation is required.
15. English Nature state that they are not aware of any nationally designated landscapes or any statutorily designated areas of nature conservation importance that would be significantly affected by this planning application. Note that appropriate reports/assessments have been carried out. In general, advise that mitigation strategies clarify how the likely impact will be addressed in order to ensure no detriment to the maintenance of the population at a favourable conservation status of the protected species. In summary, taking into account the nature of the application, advise that the local authority consider the requirements of protected species in the determination of this application, and may wish to seek advice of the ecologists of Lancashire County Council.
16. The Council's Arboriculture Officer any comments will be reported on the addendum.

## **Assessment**

### **Background Information**

17. The site is a large area of predominantly open land, which covers approximately 2.44 hectares in area, and is located within the settlement boundary of Adlington. There are currently two dwellings on the site, although only one is occupied, and various warehouse/industrial buildings which were associated with the previous use.
18. In relation to the history of the site it is apparent that there has been a dwelling on the site for over 50 years. Subsequently the owner of this property decided to move from farming and into business where planning permission was granted for the erection of a bungalow on the site. It was intended for the landowner to occupy the bungalow and utilise the existing farmhouse for storage. Both these buildings are in situ, with the bungalow still being occupied.
19. In 1977 planning permission was granted to A&F Suppliers for a storage shed on the site. They also occupied the farmhouse and various storage sheds/buildings on the site for a number of years and the presence of this business on the site is still evident. A&F Suppliers business was that of expanded metal and wire goods manufacturers and it is understood from Council Tax that this business ceased being on site from March 2008.

### **Principle of Development**

#### **Employment Land**

The site is allocated in the Chorley Local Plan Review under Policy EM1.2 for B1 (business use comprising offices (B1a), research and development (B1b) and light industry (B1c)) and part of the site is safeguarded for an extension to the rail based park and ride facility at Adlington Station (Policy TR13).

B1 use is considered an appropriate use within predominantly residential areas. The proposed use C3 (residential development) does not fall within the allocated uses for this site and as such is contrary to Saved Policy EM1 of the Adopted Local Plan.

The site was first allocated for B1 use in 1997 and was reviewed as part of the Chorley Local Plan Review. The Inspector's Report concluded that '...as it is likely that the demand for-and the value of-housing land is likely to be stronger than any other feasible use, this is tantamount to committing the site to a residential use.' The Inspector accepted the relative planning merits of the site for B1 uses (which by definition is suitable for a residential area) compared to the need for more housing land.

Policy EM9 is also of relevance as part of the site has previously been used for employment use. Policy EM9 does not cover the specific areas of land allocated in Policy EM1. However, in Policy EM9 it states that the redevelopment of a site for employment use will be encouraged and permitted unless the applicant can demonstrate that employment use re-use is not appropriate and economically viable. The Supplementary Planning Guidance document Proof of Marketing: Policy EM9 is relevant where non employment use is put forward and there is no realistic prospect of an employment re-use of the land or premises or redevelopment for an employment use would not be economically viable.

The site has also been considered through a Joint Employment Land Review with South Ribble and Preston (April 2009). This site was identified as an 'Other Urban' site. These sites are generally of reasonable quality but may be constrained limiting their full current availability or market attractiveness. The report recognises the owner's aspirations, that the rest of the site could be developed to improve the local environment and the site has the potential to deliver economic development benefits. The report also, states unless sites are committed for other forms of development it is not recommended releasing or de-allocating any employment sites ranked as Best Urban, Good Urban or Other Urban at this time through the Development Plan Process. This stance has been taken in the Emerging Central Lancashire Core Strategy (Preferred) Policy PCS11.

The site is due to be re-assessed as part of the Site Allocations Development Plan Document process. An Issues document in the form of a Discussion Paper will be published in November 2010. There are presently 3 site suggestions on this site as part of this process. These are for housing use (put forward by the owners of the site), a mix of housing and commercial use (put forward by the owners of the site); and a mix of social housing and leisure use.

The B1(a) office use would need to conform to Planning Policy Statement 4 (PPS4): Sustainable Economic Growth. This indicates at EC14.3 a sequential assessment (under EC15) is required for applications for main town centre uses that are not in an existing centre and are not in accordance with an up to date development plan.

PPS4 indicates at a local level (EC2.1(h)), where necessary to safeguard land from other uses the local planning authority should identify a range of sites, to facilitate a broad range of economic development including mixed use. Existing site allocations should not be carried forward from one version of the development plan to the next without evidence of need and reasonable prospect of take up during the plan period. If there is no reasonable prospect of the site being used for the allocated economic use during the plan period, the allocation should not be retained, and wider economic uses or alternative uses such as housing should be actively considered.

### **Housing Development**

In accordance with PPS3 there is a requirement for Local Authorities to demonstrate a 5 year housing land supply. Where there is no deliverable five-year housing supply, national guidance states that authorities should consider favourably applications for housing, having regard to other planning policies. There is considered to be a five-year housing supply in Chorley and therefore no additional presumption in favour of this planning application.

The September 2010 Strategic Housing Land Availability Assessment indicates that there is a 5.94 year deliverable housing supply in the Borough. There is also sufficient land in the Borough to meet longer term housing requirements. Detailed housing site surveys have been completed and have been published in the Housing Land Monitoring Report (April 1<sup>st</sup> 2009 to March 31<sup>st</sup> 2010), which outlines the housing land availability and completion position on 31<sup>st</sup> March 2010. These detailed surveys indicate that over 300 units were under construction throughout the Borough, indicating that housebuilding activity is strong in Chorley, despite the current economic climate.

In accordance with Policy HS5 of the Adopted Local Plan 20% of the site will be required to be Affordable Housing. The applicant has stated that there will be 15 Affordable Houses Provided on site, which will include 5 x 2 bedroom mews houses and 5 x 3 bedroom mews houses as rented affordable units and a further 5 x 2 bedroom mews houses as discounted housing for sale. This equates to 20% Affordable Housing.

The 20% Affordable Housing is an increase from that provided in the previous application (ref. 09/00721/OUTMAJ) and complies with Policy HS5.

### **Conclusion**

Chorley are in the unusual position of having both a 5 year housing supply and an existing employment land supply of 94 hectares. However, Chorley still has to find a minimum of 38 hectares of new supply for B1, B2 and B8 employment uses, and also need to consider any other employment uses. As explained above this land is allocated as Employment Land, and has previously been used for employment therefore there is a requirement for the site to be marketed for employment uses. It stated in the Planning/Design and Access Statement paragraph 6.4 that the Council agreed that Policy EM9 as well as the SPG was irrelevant to the application site as it is allocated for employment purposes under EM1, rather than being an employment site under Policy EM9. There appears to be some misunderstanding, as this was not agreed. The applicant has not carried out the Policy EM9/SPG marketing requirements, however, they have submitted an Employment Land Study with their application.

The applicants employment land study concludes that the sites allocation for B1 use does not need to be retained and the loss of this would have no significant impact on the overall supply of office accommodation within Chorley. The reasons given are:

-There is little perceived demand for office accommodation within Chorley (there is little perceived demand for B1 office space on the application site in the short and medium term; there is adequate supply of allocated employment sites, existing space and unimplemented space to address medium to long term demand).

-The existing buildings on the site are incapable of any beneficial use.

-Three factors affect the viability of the site: TPO on Railway Road, telecoms mast and sewer easement running through the site.

-Adlington is fairly localised as an office location.

-There is an abundance of both consented, unimplemented and developed office space accommodation on major business parks at Ackhurst Business Park, Buckshaw Village and Botany Business Park attractive to footloose occupiers.

-Office development on the site is unviable for reasons including cost infrastructure whether it be for a redevelopment of the whole or part of the site.

-Reserving the site for office development would preclude the development of a park and ride car park.

There is an absence of actual marketing of the site, however, the applicants contacted King Sturge who stated that there is little prospect of the site being developed due to a number of factors including the issue of pre-lets. It states that '...it is inconceivable that wholesale development of the site would occur without a significant occupational pre-lets being secured. This site would have to compete for pre-lets with other local and regional employment sites, which can provide serviced plots with infrastructure already in place, or existing premises. Consequently there are a number of other sites, which are superior to the subject site in terms of delivery of timescales and costs. This is compounded by the lack of urgency from companies who may have a commercial property requirement.'

Whilst the issues above are acknowledged it is clear in Policy EM9 (Redevelopment of Existing Employment Sites for Non-Employment Uses) and the SPG Proof of Marketing for Policy EM9 that a marketing exercise is required. The SPG outlines that the Council require a Statement of Efforts and Proof of Marketing for the site and sets out criteria how this should be undertaken including advertising and marketing over a 9-month period. The SPG also states that this period may need to be extended in times of flat or falling markets and the Council have advised that the period of marketing is now 12 months. There is a need to carry out a marketing exercise and this has not been submitted as part of the planning application. Therefore the applicant has not demonstrated that the site cannot be re-used for employment purposes.

The applicant then goes on to say that another reason that the site has not been developed for employment purposes is that the buildings may not be capable of being re-used. This does not necessarily equate to a prospective purchaser not wanting to develop a site for employment use. This is linked into the issue raised above, about the requirement for the proof of marketing and the requirements as set out in Policy EM9 and the associated SPG.

The three factors in relation to the affect of the viability of the site: TPO on Railway Road, telecoms mast and sewer easement running through the site, are not specific to developing the site for employment use. These are issues that relate to all uses and the redevelopment of the site, not just an employment use. Again this links into the need to demonstrate this through Policy EM9.

It states that Adlington is fairly localised as an office location, however, there are offices found in all main settlements of the Borough.

Whilst it is acknowledged that there are both consented, unimplemented and developed office space accommodation on major business parks at Ackhurst Business Park, Buckshaw Village and Botany Business Park attractive to footloose occupiers, there is still a requirement for Chorley to provide a continual employment land supply. There is a requirement for Chorley to find a minimum

of 38 hectares of new supply for B1, B2 and B8 employment uses, and also need to consider any other employment uses.

The next conclusion in the applicant's accompanying Employment Land Study was office development on the site is unviable for reasons including cost infrastructure whether it be for a redevelopment of the whole or part of the site. This has not been demonstrated as a financial breakdown for any of the B1 uses and there are no figures accompanying the planning application to demonstrate this.

The Employment Land Study also concludes that reserving the site for office development would preclude the development of a park and ride car park. This would need to be looked at through any marketing exercise, which again is linked to Policy EM9.

The Employment Land Study does not consider the site suitable for B1b) or B1c) in terms of modern occupational requirements. It concludes B1c) use is likely to come from the localised market place but the development of small industrial units would involve extensive infrastructure costs at the onset. These issues would make redevelopment of the site unviable due to the prohibitive financial holding costs incurred at the onset. Therefore it is not anticipated that interest in the site from developers will be forthcoming.

All the conclusions reached in the Employment Land Study link back to a requirement for these to be demonstrated through marketing. The applicant has not successfully demonstrated that the site cannot be re-used for employment purposes and therefore does not comply with Policy EM9 of the Chorley Local Plan Review.

#### Access

20. This application is an outline application and requires access to be agreed. The existing access to the site is from Railway Road into the northern corner of the site. It is proposed to close this existing access and introduce a new access 55 metres to the south west off Railway Road. The carriageway would be 5.5m wide and have 2.0 metre footways on both sides of the carriageway. This will require the removal of some of the trees to achieve a visibility splay of 2.4m x 43 metres. The applicant has stated that replacement planting would be provided, however, this would be looked at during the reserved matters stage.

21. The Highways Engineer has not provided any comments at the time of writing the report. Any comments provided will be reported on the addendum.

#### Affordable Housing

22. The applicant has stated that there will be 15 Affordable Houses Provided on site, which will include 5 x 2 bedroom mews houses and 5 x 3 bedroom mews houses as rented affordable units and a further 5 x 2 bedroom mews houses as discounted housing for sale. This equates to 20% Affordable Housing which complies with Policy HS5 of the Chorley Local Plan Review.

#### Park and Ride Facility

22. It is proposed that a 55 space Park and Ride Facility is provided as part of the scheme. This would be included in a Section 106 Agreement. Lancashire County Council are satisfied with the proposed extent of the Park and Ride Facility which they have indicated will be sufficient for Adlington Train Station.

23. Whilst this does not conform with the proposed area as identified in the Local Plan Review Lancashire County Council are satisfied with the size of it. It is not considered to be the best location for the facility; however, this would need to be looked at during the detailed design stage. Therefore the inclusion of this size Park and Ride Facility is considered appropriate for this location.

#### Design Issues

24. The application is an outline application, for 75 houses, which equates to approximately 31 dwellings per hectare, however, this excludes the area taken up by the Park and Ride facility therefore the final density would be higher if this was excluded. There are no illustrative drawings in relation to design, but there is an illustrative layout provided. Due to this application

only seeking access to be considered with this application the issues about detailed design would need to be looked at during the reserved matters stage.

#### Trees and Vegetation

25. There is a Tree Preservation Order on the site and the application has an accompanying tree survey included with it. The conclusions of the survey are that in order for the proposed access to be constructed the trees that will be required to be removed include those of low quality or value or of poor quality. The access will not result in the removal of any category A trees (High Quality and Value), however, it shows by way of an indicative road layout that some category B trees (Moderate Quality and Value) will require to be removed from within the site. There is also replacement planting proposed as part of the scheme.
26. The Council's Arboriculture Officer has been consulted on the proposal, however, these have not been provided at the time of writing the report. Any comments provided will be reported on the addendum sheet.

#### Impact on Local Services

27. This issue of the impact on Local Services has been raised by the Town Council and a number of residents who live close to the proposal site. An infrastructure delivery and requirements schedule for the Borough will be published as part of the Core Strategy Publication version in November 2010. Detailed work has been undertaken with a range of stakeholders to determine what local facilities, infrastructure and services are required in the Borough. Adlington is included within this exercise, and details will be identified in the Site Allocations DPD discussion paper also out for public consultation in November 2010.

#### Highway Safety

28. The issue of highway safety has been raised as a concern by the Town Council and local residents in relation to Railway Road being a busy through route, which would be exacerbated by such a scheme.
29. The Highways Engineer has not provided any comments at the time of writing the report. Any comments provided will be reported on the addendum.

#### Section 106 Agreement

30. The applicant has agreed to enter into a Section 106 agreement for the provision of a financial sum of £99,525 towards the provision of off-site open space/play space within Jubilee Playing Fields in Adlington. The 55-space Park and Ride Facility will also be included within the Section 106, along with the Affordable Housing Provision.

#### **Overall Conclusion**

31. The site is allocated for employment and there is a requirement for the applicant to carry out marketing requirements under Saved Policy EM9/SPG marketing requirements, however, they have submitted an Employment Land Study with their application. All the conclusions reached in the Employment Land Study link back to a requirement for these to be demonstrated through marketing. The applicant has not successfully demonstrated that the site cannot be re-used for employment purposes and therefore does not comply with Policy EM9 of the Chorley Local Plan Review. In addition to the above Chorley Borough Council can demonstrate that there is a 5 year Housing Land Supply, and therefore the proposal is recommended for refusal.

#### **Other Matters**

##### Public Consultation

31. There were no public consultation exercises carried out prior to the submission of these proposals.
32. The Council's Statement of Community Involvement identifies the types of developments that would benefit from community involvement. These include large scale residential development and developments where opportunity for community benefits may be available.

#### **Planning Policies**

##### National Planning Policies:

PPS1 and the Climate Change Supplement, PPS3 and PPS4.



## Adopted Chorley Borough Local Plan Review

### Policies:

#### Supplementary Planning Guidance:

- Statement of Community Involvement
- Design Guide

#### Chorley's Local Development Framework

- Policy SR1: Incorporating Sustainable Resources into New Development
- Sustainable Resources Development Plan Document
- Sustainable Resources Supplementary Planning Document

### **Planning History**

00/00467/MAS: Siting of 15m lattice tower approved July 2000

02/00323/OUT: Outline application for one detached house and garage, approved May 2002.

06/01290/FUL: Proposed extension to existing mast by 1.5m, removal of 6 no. antennas and replaced by 6 no. antennas, 3 no dishes together with ground based equipment cabins. Approved May 2007.

09/00721/OUTMAJ: Outline application for residential development (for a least 75 dwellings) and a 'park & ride' parking area for Adlington Railway Station. Approved December 2009.

### **Recommendation: Refuse Full Planning Permission**

#### **Reasons**

- 1) The site is allocated under Policy EM1.2 for B1 (business use, comprising offices (B1a), research and development (B1b) and light industry (B1c)). The proposal is for housing (C3) which does not fall within the allocated uses for this site and as such is contrary to Policy EM1 (Saved) of the Chorley Local Plan Review. 2) Policy EM9 is also of relevance as part of the site has previously been used for employment purposes where it states that the redevelopment of a site for employment use will be encouraged. It is for the applicant to demonstrate that there is no realistic prospect of an employment re-use of the land or premises for redevelopment for an employment use would be economic viable. The applicant has failed to demonstrate this as specified in Policy EM9 and the accompanying Supplementary Planning Guidance Document Proof of Marketing: Policy EM9.