

DEVELOPMENT CONTROL COMMITTEE

TUESDAY, 6TH DECEMBER 2016, 6.30 PM

THE LANCASTRIAN SUITE, TOWN HALL, CHORLEY

I am now able to enclose, for consideration at the above meeting of the Development Control Committee, the following reports that were unavailable when the agenda was published.

Agenda No	Item	
B	16/00489/OUTMAJ - LAND BETWEEN PEAR TREE LANE AND SCHOOL LANE, PEAR TREE LANE, EUXTON	(Pages 77 - 98)
I	15/00850/COU - LAND REAR OF 65 COPPULL MOOR LANE, COPPULL	(Pages 99 - 104)
J	16/00527/FUL - PIPERS PRIVATE NURSERY, 11 SOUTHPORT ROAD, CHORLEY, PR7 1LB	(Pages 105 - 112)
K	16/00533/FUL - PIPERS PRIVATE NURSERY, 11 SOUTHPORT ROAD, CHORLEY, PR7 1LB	(Pages 113 - 124)

GARY HALL
CHIEF EXECUTIVE

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Agenda Item 3B**APPLICATION REPORT – 16/00489/OUTMAJ**

Validation Date: 25 May 2016

Ward: Euxton North

Type of Application: Major Outline Planning

Proposal: Outline planning permission for up to 165 dwellings (30% affordable), planting and landscaping, informal open space, children's play area, surface water attenuation, 2 vehicular access points from School Lane and associated ancillary works. All matters to be reserved with the exception of the main site access

Location: Land Between Pear Tree Lane And School Lane Pear Tree Lane Euxton

Case Officer: Mr Paul Whittingham

Applicant: Gladman Developments Ltd

Agent: Gladman Developments Ltd

Consultation expiry: 27 October 2016

Decision due by: 14 September 2016

RECOMMENDATION

1. The application is recommended for refusal.

SITE DESCRIPTION

2. The application site is located to the south and east of school lane and to the east of Euxton. The site comprises five field compartments and the topography of the site is relatively flat and includes existing hedgerows and a small pond. The site is approximately 7.46 hectares.
3. The western edge of the site is predominantly bound by properties on School Lane and The Cherries. To the north of the site includes an existing tree line that is on the south side of School Lane. To the north of School Lane is a housing allocation (Policy HS1) for approximately 170 dwellings. To the east, the site is bounded by Pear Tree Lane and residential properties to the north east, which includes Houghton House, a Grade II listed building. The southern boundary of the site is bound by a row of mature trees and hedgerows with Valley Park to the south.
4. School Lane is a non-classified road and is categorised as a local access road with a 20 mph zone extending from Wigan Road to approximately 20m west of Orchard Close. To the west of this point School Lane is subject to the national speed limit of 60 mph. There

are footways of variable width from Orchard Close west to Wigan Road. From Orchard Close east there are no footways and the road is of variable width with narrow single lane sections in what is essentially a rural country lane.

DESCRIPTION OF PROPOSED DEVELOPMENT

5. The application is an Outline application that seeks planning permission in principle for the development of upto 165 dwellings of which 30% are proposed to be affordable with the access to the site to be determined as part of this application. The access to the site is from School Lane via two new priority junctions to the west and north of the site. The outline plan includes for the provision of planting, landscaping, informal open space, childrens play area and surface water attenuation with all the details to be considered at reserved matters stage.

REPRESENTATIONS 16/00489/OUTMAJ

Objections: 142 Supporters: 1

Total No. received:

6. Principle of Development

- The proposed development site is located on safeguarded land as described in the Chorley Borough Council Local Plan 2012 – 2026 and would therefore be an inappropriate site for a new housing development.
- There is no proven need for more houses in the area given the proximity of the development site to Buckshaw Village where there are unoccupied houses and flats.
- The proposal for new housing would result in a loss of valuable Greenfield land.
- Alternative sites for housing are provided on neighbouring land.
- Further development would lead to Euxton losing its identity.
- There is an adequate supply of housing in Chorley.
- The design and style of new build properties would not reflect the character of the area which has a countryside feel to it.
- Euxton has been subject to a disproportionate amount of development compared to other villages in Chorley.
- This application draws the villages of Euxton ever closer together with Buckshaw and with the development at Astley Village Rugby Club. There is a clear possibility that the three villages will lose their identity and the green space around them.
- The combined population of Euxton, Astley Village and Buckshaw Village (when fully developed) will be equivalent to, if not greater than many small towns.
- Only 30% of the houses proposed would be affordable meaning that the other 70% would be superfluous to housing need in the area.
- If additional development is needed within the lifetime of the plan, then consideration should be given to other areas that may be suitable for development.

- The land between Pear Tree Lane and School Lane is a hidden gem, valued by local residents whose lives are enriched by this small area within an area of increasing urban sprawl.
- The location of the development site is not appropriate given that there are vacant and run down town centres with existing infrastructure which are in need of redevelopment.
- The proposed development would change the 'feel' and perception of the area where 'The Cherries' is built and this would result in urban sprawl.
- The Affordable Housing Statement submitted in support of the development contains lots of broad assumptions and Chorley Council's affordable homes policy should not be used as a justification for the development.
- This development is not needed as planning application 16/00380/OUTMAJ for 170 houses will surely meet housing needs in the area.
- Chorley Council should call a halt to any further development in the School Lane / Pear Tree Lane area for at least 5 to 8 years so that the full effect and impact of the current development on Buckshaw as well as any new development on land surrounding 89 Euxton Lane can be understood properly.
- There are discrepancies in the submitted plan documentation with some sections stating 165 dwellings whilst others refer to 175
- Sufficient land has been made available in this settlement area as justified at the examination in public of Chorley's Local Plan. Indeed, the inspector initially expressed concern about Chorley's allocation and an increase was agreed. This rigorous process has led to the adoption of a plan which sufficiently provides for a housing land supply that will cater for the next 5 years. This is an important test in considering whether or not additional land should be brought forward.
- Adjacent land owned by the HCA is currently being promoted for development, as envisaged in the Local Plan, this will provide for any demand for some years to come and the consideration of any other land would therefore be premature at this stage.
- Euxton, located close to Chorley, Leyland and the new Buckshaw Village is already a vibrant and sustainable community. Any suggestion that the proposed development is required to create a sustainable community is therefore meaningless.
- Chorley Borough Council has decided that this land is not needed for development within the Plan (designated as safeguarded) and to agree otherwise would make a mockery of the planning process and all the effort and pain we all put into it. Chorley would rapidly be seen as a 'soft touch' by developers and the concept of 'safeguarded' land would become meaningless such that elsewhere in the borough it would immediately become 'up for grabs'.
- The application represents an attack on local democracy, on the ability of local communities to have some say in their future.
- The land between Pear Tree Lane and School Lane, Euxton is not in an area scheduled for development according to the current Chorley Local Plan and is protected until 2026 and therefore should be treated as a purely speculative application and therefore refused.

7. Highway Safety

- The access roads leading to the development site are very narrow and dangerous with sharp corners to negotiate. These lanes would be unable to cope with the increased traffic which would be a danger to both walkers and wildlife.
- The lanes are already congested and it is difficult to leave School Lane during school pick up hours.
- Increased traffic using the lanes around the development site would pose a safety risk to cyclists and pedestrians who use the lanes.
- The proposed entrance to the site would be located on a blind bend and this would be a significant traffic hazard.
- Sand and gravel extraction which would occur during the construction phase would increase vehicle use of roads in the area and add to congestion.
- Euxton Lane is already severely congested despite the widening improvements to cope with additional traffic from the Buckshaw development. Euxton Lane leads up to the A6 which gives access to the M61 Motorway, and although the A6 junction has also undergone vast improvements there are still lengthy tailbacks stretching from the A6 right back to the junction with Buckshaw Village's Central Avenue, especially at rush hour.
- Because of the increased traffic many vehicles will use the narrow single track Pear Tree and Whinny lanes as short cuts to avoid the congestion resulting in dangerous unavoidable problems.
- The Park and Ride facility at Buckshaw Parkway is already full to capacity, despite it being a large car park, and therefore could not cope with any additional traffic.
- School children use school lane and the impact of further traffic using School Lane would increase the risk of life threatening injuries to pedestrians including school children.
- Traffic around Euxton has already increased immensely around Euxton due the Buckshaw Village development.
- The proposed access onto School Lane near the junction with Pear Tree Lane will create increased flows of traffic on roads that have no footpaths. This will result in increased danger to pedestrians on a road that is used extensively by pedestrians enjoying the open aspects.
- The increased volumes of traffic would increase the risk of road traffic accidents. The meeting point of School Lane and Wigan Road is a significant risk as only one car can get up and down this road during school drop off and pick up times.
- Additional vehicles would increase pollution.
- There has been a considerable increase in HGV and large vehicles using the roads in the area.
- Whilst considerable highway improvements were carried out to Euxton Lane in anticipation of the comprehensive development of the former ROF factory near Euxton Lane, nothing was undertaken at the pinch point where the carriageway narrows to underpass the West Coast Main Line close to its

intersection with the A49, by the Bay Horse Public House. The resultant peak congestion encourages traffic to avoid the junction by using Pear Tree Lane and School Lane, taking advantage of the controlled junction with the A49. The signal control was introduced to improve safety in an area which includes 2 primary schools, a community centre and a nursery.

- School lane is already a death trap every day (even worse now that Euxton Lane is temporarily closed) with an accident waiting to happen - additional traffic using School Lane and Pear Tree Lane would only make the situation worse. The Council should be looking to reduce traffic flow on these roads and strictly enforcing a 20mph speed limit.
- Traffic study is incomplete and invalid since it does not take into consideration the hour between 3pm and 4pm Monday to Friday, when the two primary schools located almost opposite School Lane across the A49 finish for the day.

8. Flooding

- Due to the recent flooding in Euxton at the Railway Bridge the drains get blocked and the construction of so many garages would cause immense damage as the water wouldn't be able to drain away.
- The loss of open fields to hold and slowly release surface water during periods of heavy rainfall will increase the flooding risk to surrounding areas.
- If it is intended to direct surface water into Chapel Brook then there is a risk that this would create a real risk of flooding during periods of severe rainfall for properties in Casterton.
- Flooding is always a problem on Pear Tree Lane and School Lane. The Railway Bridge on Euxton Lane (near the junction of Euxton Lane and Wigan Road) floods several times a year (sometimes lasting weeks) and a flood warning is permanently sited at the side of the road.
- The existing surface water management system and sewers would struggle to cope with the demands placed on it by additional housing especially in the Pear Tree Lane / School Lane area as most of the current system was built around 80 to 100 years ago. The inability to clear the excess water that collects under the railway bridges of School Lane and Euxton Lane would indicate to me that the current drainage system is unable to cope with anything heavier than light rain.
- The applicants have submitted a flood risk assessment as part of their application. This is a technical appraisal of the hydrology and understandably takes into account the existing infrastructure, improved as part of the Buckshaw Village associated offsite works. Such proposals and calculations often rely on adequate maintenance being undertaken and are designed to be critically dependent. The catastrophic effect of a failure to undertake maintenance was sadly demonstrated last December when there was flooding on Pear Tree Lane which had not been previously experienced.

9. Infrastructure

- Local amenities such as Doctors surgeries and schools are overburdened and cannot take any more people.
- Euxton Medical Centre is working at full capacity due to the large amount of building work which has occurred in Euxton over the years and there is no capacity to provide medical care for a development of this size. The development would stretch the service beyond its current workload which would compromise patient care.
- Other medical practices in the area do not cover Euxton and people moving into the proposed new houses would have difficulty in registering with a Doctor.
- Increase residential population would add further strain to local transport services and reduces congestion around local transport hubs including Buckshaw Parkway where there is already a lack of parking spaces.
- Chorley accident and emergency has been closed and an increased number of residents in the borough would further increase demand for a service that has already been lost.
- There has been huge development at Buckshaw and this new development will result in additional demand for local resources including schools where Euxton C of E Primary School is already over-subscribed, St Mary's Primary School in Euxton is over-subscribed, St Michael's C of E Primary School is over-subscribed by 300%, Parklands High School was 300% over-subscribed and all pre-schools in Euxton are over-subscribed.
- There is no mention of Buckshaw Parkway station in the applicant's Design and Access Statement (See 02 Response to Context) and indeed the Ordnance Survey extract is out of date and does not show the station. Such a fundamental error casts doubt over the validity of the Statement as a whole.
- The local schools cannot cope, my son has just started at primrose hill where the intake once upon time was less than 15 yet now it's 60 and all 60 places were filled. Trinity primary school has 3 reception classes and are now building another site as they can't cope with demand. Parking near both schools is appalling due to the number of people!

10. Ecology

- The constructions of houses at the development site would have a detrimental impact on surrounding scenery.
- The application site is located on green space which is a valuable resource for the physical wellbeing of local residents.
- The site contains mature hedgerows and habitats of principal importance under the NERC Act, Section 41. Habitats including woodland, hedgerows and mature trees provide nesting and foraging habitats for a range of urban and woodland birds.
- The open fields on which the development is proposed provide a valuable habitat for wildlife including bats, foxes, rabbits, voles and many varieties of birds.
- Ecological appraisals included with the application are inaccurate. Deer are regularly seen in the fields that are proposed to be developed, Water Vole have been sighted in the water way along Pear Tree Lane and School Lane

and the Bat observations are wrong as local residents see many Bats during the summer months.

- The site contains newts including great crested newts in ponds. These matters should be investigated further. In addition the area is inhabited by deer and heron amongst other species.
- The loss of more Green Belt is not good for the environment and the area is becoming far too built up.

11. Other

- Merseyside and West Lancashire Bat Group have submitted a report into bat activity in the area from 1993 to 1996. This states that 3 Myotis bats were picked up on a bat detector and high levels of bat activity generally were picked up on detectors during three surveys in August and September 1994 on land near Euxton Lane and School Lane. This also stated that considerable bat activity was detected in September 1993 in the southern part of the site where bat passes were too frequent to distinguish bats individually.
- That Noise surveys should have been carried out regarding the impact of the west coast rail line on the houses and the impact of construction on the nearby houses.

CONSULTATIONS

Greater Manchester Ecology Unit -

12. **Parish Council** – Object on the following grounds which are summarised as follows (the full comments are appended to this report) :-
13. Housing requirements were confirmed as appropriate by the Local Plan Inspector and these were carried forward into the adopted Local Plan just over 12 months ago. There has been no significant change in circumstances that would suggest the Local Plan should be set aside.
14. The land is safeguarded land and therefore consideration as to whether or not it should be released for development should not take place outside of the context of a Local Plan review towards the end of the current plan period ie 2026.
15. The planning authority has a good record of housing delivery, in recent years, and has a healthy supply of housing land going forward. There is a five year requirement set against adopted development plan housing requirements.
16. The application should be determined on the basis of the recently adopted Local Plan and should be refused.
17. **Conservation Officer** – No Objection subject to the imposition of a condition & the setting of the adjacent listed building will be preserved and that the significance of this designated heritage asset and any other heritage assets in the vicinity or discovered during the course of development within the site will be sustained.

- 18. **United Utilities** – No objection subject to the imposition of conditions to ensure that there is no surface water discharge to the public sewer and that the management of surface water is dealt with by condition and within the design of the reserved matters application. This will cover the the management of water within the development and the future management of the sustainable drainage system.
- 19. **Planning Policy** – See body of the report
- 20. **Lancashire Highway Services** – See body of the report
- 21. **Strategic Housing** – No objection, on the basis of the delivery of 30% affordable housing with the split as required by Core Strategy Policy 7. The following size and split of housing would be required.

Social Rented

- 4 x 1 bedroom 2 person flats
- 2 x 1 bedroom 2 person bungalows
- 4 x 2 bedroom 3 person bungalows
- 17 x 2 bedroom 4 person houses
- 6 x 3 bedroom 6 person houses
- 2 x 4 bedroom 8 person houses

Shared Ownership

- 5 x 2 bedroom 4 person houses
- 10 x 3 bedroom 6 person houses

- 22. **Planning Policy (Open Space)** – No objection subject to securing contributions towards the provision of open space as follows:-

THE TOTAL FINANCIAL CONTRIBUTION REQUIRED FROM THIS DEVELOPMENT IS AS FOLLOWS:

Amenity greenspace	= £115,500 for maintenance (if adopted by Council)
Equipped play area	= £21,450 for maintenance (if adopted by Council)
Parks/Gardens	= £0
Natural/semi-natural	= £0
Allotments	= £2,475
Playing Pitches	= £263,835
Total	= £403,260

- 23. **Trees** – No objection subject to the retention of the important tree groups on the site that support the visual mitigation of the site and provide landscape and habitat value.
- 24. **CPRE** – Object on the following grounds

Housing Need

Gladmans admit that Chorley BC is already meeting its commitments to planned housing development. In the Housing Land Monitoring Report (June2016) it is confirmed that Chorley have exceeded their planned house-building of 417 per

annum in the current plan by 955 dwellings. There are also non-completed housing projects with permission already granted:
2,844 dwellings already having planning permission not yet completed, with land available for a further 1,306 dwellings on land allocated for housing.

25. In addition, Chorley is in deficit with its aim of house-building on brownfield sites with 56.4% against an aim of 70% during 2015/16.
26. Gladmans' argument that Chorley's failure to build sufficient affordable houses in no way supports excessive market development in this rural community (where a normal 30% affordable housing target could be a reasonable element.) The adjacent site at Buckshaw village where substantial development opportunities are still available, with supporting traffic/public transport infrastructure, is capable of greater and more sustainable affordable housing provision.
27. It is noted, with some irony, that Gladmans (See S1.16 of the Level Report) would be 'willing' to 'trade off' some of this commitment to affordable housing! This constantly contributes to the under-performance of many builders in providing affordable housing via S106 agreements and it is a clearly a spurious argument by Gladmans to support this application.
28. Of considerable importance, and a material consideration, is the fact that this site is listed by Chorley Borough Councils as 'safeguarded' for future development (BNE.3.9) outside the current Local Plan: this application is therefore not compliant with local planning legislation and should be refused on these grounds alone.
29. We wish our strong objection to this application to be reported to Council.

PLANNING CONSIDERATIONS

Principle of the development

30. The site is situated outside the settlement boundary of Euxton and the proposal is therefore a departure from the Development Plan. The site is allocated as Safeguarded Land under Policy BNE3 (site BNE3.9) of the Chorley Local Plan 2012-2026. The policy states that development other than that permissible in the Green Belt or Area of Other Open Countryside (under Policy BNE2) will not be permitted on Safeguarded Land. The proposal is therefore contrary to Policy BNE3.
31. Policy BNE3 is in accordance paragraph 85 of the Framework which states that local planning authorities should "where necessary identify in their plans areas of safeguarded land between the urban area and the Green Belt, in order to meet longer term development needs stretching well beyond the plan period" and "make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following a Local Plan review which proposes the development."
32. During preparation of the Local Plan this site was included as a preferred mixed use allocation for housing and employment in the Preferred Option Paper. However following consultation on the Preferred Option Paper the employment part of the allocation was deleted and just the land to the north of this site

allocated for housing at the Publication stage as it was considered that there were other proposed, emerging and existing employment sites in the locality which would offer a range of choice. The site was put forward as an additional housing allocation during the Publication stage and was considered during the Local Plan examination. The Inspector concluded in her report that "Taking into account that no additional housing supply is required to make the Plan sound, I conclude that there are no overriding reasons to allocate this site."

33. The principle of developing this site is not therefore established by the development plan and the consideration is therefore are there any other "material considerations that would outweigh the weight afforded to the development plan, that in this case is considered to be significant weight.

Applicants Position

34. The applicant argues that the Council's housing requirement is based on out of date information and the Council do not have a Framework compliant housing requirement. As a result they argue that the Council are unable to demonstrate a five year supply of deliverable housing sites and the application should fall to be considered under paragraph 14 of the Framework which sets out a presumption in favour of sustainable development. It states that where the development plan is absent, silent or relevant policies are out of date planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.
35. The applicant refers to two planning appeals to support their argument that Chorley's housing requirement is out of date. The first appeal is APP/F1610/A/14/2213318 for up to 120 dwellings at Land south of Cirencester Road, Fairford dated 22 September 2014. This appeal was allowed because the Local Plan covered the period 2001-2011 and did not make provision for housing after 2011. The Council accepted that it did not have an objectively assessed need therefore a five year supply could not be demonstrated. The second appeal is APP/X0360/A/13/2209286 for up to 120 dwellings at Land west of Beech Hill Road, Spencers Wood, Berkshire dated 9th June 2013. The Inspector agreed that the local authority did not have an objectively assessed need and the housing supply policies were out of date as they were based on the former Regional Strategy which has been revoked and was based on PPS3 which has been superseded by the NPPF. The projections that informed the Regional Strategy were nearly a decade old and the Core Strategy was adopted in January 2010 well before the NPPF was published in March 2012.

Response to applicants position housing requirements

36. The Council do not believe that the adopted housing land supply policies set out in Core Strategy Policy 1: Locating Growth, Core Strategy Policy 4: Housing Delivery and Local Plan Policy HS1: Housing Site Allocations are out of date.
37. The Core Strategy was adopted in July 2012 and is Framework compliant. The housing requirement in Policy 4 was based on Regional Strategy housing figures however the Core Strategy Inspector considered the requirement sound and

stated in his report “The amount of housing proposed, together with the policies which seek suitable densities and high quality design and other relevant policies, accord with the Government’s policy, set out in the Framework, of delivering a sufficient amount and wide choice of high quality homes, widening opportunities for home ownership and creating sustainable, inclusive and mixed communities. As a result, everybody should have the opportunity of living in a decent home which they can afford in a community where they want to live. In these respects the Local Plan is sound.”

38. The Chorley Local Plan 2012-2026 was adopted in July 2015. Representations were received during preparation of the Local Plan that the housing requirement is not based on a robust, up to date objective assessment of need as required by the Framework. The Inspector concluded in her report that the Core Strategy target for 417 dwellings remained appropriate. She also stated “The Regional Strategy for the North West (RS) was revoked by the Secretary of State during the examination period. The impact of this on the soundness of the Plan, particularly regarding the justification for retaining the RS housing and employment targets, was consulted upon and discussed at the hearing sessions. I conclude that no soundness issues have arisen as a consequence.”
39. Furthermore, in a recent appeal decision APP/N235/W/15/3007033 for up to 150 dwellings at Land at Preston Road, Grimsargh dated 9th May 2016 the Inspector concluded that the Central Lancashire Core Strategy housing policies were not out of date. She stated in paragraph 21 “I have no reason to conclude that the relevant policies for the supply of housing are out of date with respect to the strategy for the location of housing.
40. The Core Strategy was adopted in July 2012 in compliance with the NPPF and the Local Plan was adopted as recently as July 2015.” The Chorley Local Plan was also adopted in July 2015 therefore it should be considered up to date in light of this appeal decision. The appeal was allowed due to the uncertainties surrounding the delivery of housing and the Inspector took the view that the housing land supply for Preston amounted to approximately 4.79 years. As a five year supply had not been demonstrated the Inspector concluded in accordance with paragraph 40 of the Framework that the relevant policies for the supply of housing were out of date.
41. It is considered therefore that the Development Plan policies in respect of housing are not as the applicant states "out of date" or that " the Council do not have a Framework compliant housing requirement" and therefore para 14 of the Framework is not engaged.

Supply of Housing Land

42. As it is considered that the Core Strategy housing requirement is not out of date the Council can demonstrate a five year supply. The Five Year Housing Supply Statement for Chorley published in September 2016 identified that there was a 7.2 year deliverable housing supply in the Borough over the period 1st April 2016 – 31st March 2021.

43. In total there are 2,424 deliverable dwellings over the five year period. 1,681 are on allocated sites with planning permission, 600 on windfall sites with planning permission and a windfall allowance of 143 dwellings has been included.
44. It can therefore be concluded that para 40 of the Framework is not engaged in this instance and there is therefore no under supply of housing that would represent an "other material consideration" in the determination of this application.

Other Matters

45. This report will now consider the extent to which the application represents "sustainable Development" and the weight to be attached to any significant and demonstrable adverse impacts that would outweigh the benefits of granting permission when assessed against the framework as a whole.

Highways

46. Site access is proposed by means of 2 priority controlled junction on School Lane as indicated on Drawing Number 1318/09/B. The proposed access strategy involves creating the 2 accesses on School Lane to serve the Site, with the new access road forming one of the major arms of each junction and realigning School Lane through the site. This realigned school Lane involves proposed changes to speed limits and carriageway widths on School and Pear Tree lanes together with new footway provision.
47. The TA summarised the proposed site access arrangements and highway changes as follows:
 - Create 2 priority controlled accesses on School Lane and realign School Lane through the Site with the site access forming the major road,
 - Introduce continuous footway (1.8m wide) on south side of School lane between the Site access road and Pear Tree Lane, and introduce a continuous footway (1.2-1.8m wide) on the east side of Pear Tree Lane between School Lane and Euxton Lane,
 - Introduce shuttle working on Pear Tree Lane where there is insufficient width to provide a footway and retain two-way working for traffic,
 - Introduce a 20mph speed limit on the Site access road and on Pear Tree Lane (to the north of School Lane),
 - Introduce street lighting on School Lane and Pear Tree Lane where a derestricted speed limit presently applies,
 - Widen Pear Tree Lane at the junction with Euxton Lane and introduce a pedestrian island on Euxton Lane to assist pedestrian crossing movements as indicated on Drawing Number 1318/23,

The deliverability of the proposed access arrangements will be considered below.

48. The layout of the two priority controlled junctions to the west and north of the site has been assessed by LCC and are considered acceptable and the access road within the site could provide an alternative to the narrow parts of School Lane and would in principle be acceptable in highway safety terms.

Impacts on School Lane

49. As stated the development proposal is to realign School Lane (or to be accurate the existing School Lane through traffic flow) through the Site. Drawing No 1318/09/B indicates that visibility splays of 2.4m x 22m can be achieved on the minor arm of the new priority controlled junctions on School Lane. The proposed visibility splay meets MfS standards for a 20mph design speed and would be acceptable. School Lane (existing) is subject to a 20mph speed limit in the location of western site access junction (AshleyHelme junction SJ1A) and it is proposed to extend the existing 20mph limit on School Lane to the junction with Pear Tree Lane and on to Pear Tree Lane to the junction with Euxton Lane. The TA states the new eastern access junction (SJ1B) would therefore also be within a 20mph speed limit. The proposed junction and changes to the highway are not unreasonable to provide both vehicular and pedestrian access. With the proposed 20mph zoning, I would not insist on separate cycle access as the change in nature of the access lanes should provide a safe environment for cycling. It is proposed to widen the section of School Lane between Pear Tree Lane and the proposed Site eastern access road. This proposal would potentially provide a 5.5m wide road with a 1.8m carriageway over the majority of this section of School Lane.
50. However, the adopted highway is restricted for part of this distance and there is a pinch point where only a 4.8m carriageway and 1.8m footway can be achieved. It is essential that detail of the proposals on a topographic survey is provided to assess whether these works can be delivered within the available highway and without the detailed information the proposals to mitigate the harm of the development in highway and accessibility terms cannot be demonstrated, (this information is not included in the amended highway information).

Impacts on Pear Tree Lane

51. At present on Pear Tree Lane there is no footway or lighting and this lane gives access to bus services on Euxton Lane in addition to the employment/amenities and railway station at buckshaw Village located north of Euxton Lane. To provide connectivity to these facilities the developer has proposed to provide a continuous pedestrian link between the Site and Euxton Lane.
52. There is highway land available on both sides of the road and it is proposed to provide a minimum carriageway width of 5.5m for the first circa 80m south of Euxton Lane, with a 1.2m (1.8m where achievable) wide footway on the east side of the road. The carriageway then reduces to 4.8m for about 70m, with a 1.2m footway on the east side of the road. It is then proposed to narrow the carriageway to 3.5m and introduce shuttle working for a distance of circa 60m. A 1.2m footway will be introduced on the east side of the carriageway in this location. After the narrowed section, it is proposed to provide a 5.5m wide carriageway and a 1.8m footway to the junction with School Lane. The applicants TA acknowledges that it would be preferable to provide footway that is wider than 1.2m along the full length of Pear Tree. I agree that a wider footway would be preferable, but I also have a concern over the length of the shuttle working (proposed for a distance of circa 60m at the road narrowing) as this can result in a situation where drivers fail to gauge the intentions of opposing drivers and/or speed up to get through the narrowing before an opposing driver. It is essential that the proposed highway works on Pear Tree Lane (in addition to those on School Lane) are fully detailed and plotted on a topographic survey to check the feasibility of delivering the works; both physically within the adopted highway and practicality in engineering terms. I understand from discussions with Ashley Helme that the developer may not actually be able to deliver these works

including the continuous footway and this would be a failing of the development to provide safe and adequate means of pedestrian access to the facilities provided at Buckshaw and bus services on Euxton Lane.

Pear Tree Lane/Euxton Lane Junction

53. The proposal is to widen Pear Tree Lane at the junction with Euxton Lane and the associated modification of the junction radii. The scheme also includes a pedestrian island on Euxton Lane to assist pedestrian crossing movements and extending the right turn lane into Pear Tree Lane. These works as indicated on the amended Drawing Number 1318/23 Rev.A are acceptable as in principle works for a S278 agreement for highway works.

Accessibility by Sustainable forms of Transport

54. To accord with the key principles of NPPF the site requires connectivity to the existing built environment, especially the provision of links to schools/employment together with other local services/community facilities. Development should also be located to where there is access to good public transport services, or have the potential to provide sustainable public transport systems.
55. Essentially, the developer must provide an integrated network of functional and safe routes for pedestrian/cycle access that provide links with local Euxton facilities and to Chorley town centre, to create an environment that should encourage walking/cycling as a key mode of travel. The site has the potential to be within easy walking distance of facilities on Wigan Road and bus services and good quality pedestrian/cycle provision on Euxton Lane. However with the site and access limitations, I consider the site cannot be made a reasonably sustainable location and that good pedestrian access to public transport services (bus and rail), and acceptable cycle and pedestrian routes to Euxton (bus services/schools and facilities on Wigan Road), Buckshaw Village and Chorley cannot currently be achieved with the proposals before the Council.
56. I consider the site can be made a reasonably sustainable location with the proposed new footway provisions and 20mph zoning to allow pedestrian good access to public transport services (bus and rail), and acceptable cycle and pedestrian routes to Euxton (Wigan Road bus services/schools/facilities), Buckshaw Village and Chorley. However, as submitted the developer has not demonstrated that the footway improvements on Pear Tree Lane can be constructed and thus fails to provide satisfactorily pedestrian access routes between the site and the surrounding built environment.
57. Appropriate safe access provisions are required for highway safety grounds with the development introducing vulnerable road users at this locality and to satisfy the aims of NPPF to ensure "safe and suitable access to the site can be achieved for all people". The development as submitted does not provide adequate and safe pedestrian connectivity to integrate with the existing built environments; hence the development is not in line with a number of key paragraphs of the NPPF including the three dimensions of sustainable development.
Should your Council decide to approve this application you may determine that developer CIL contributions are targeted towards new improved cycle routes as identified in the Councils CIL 123 List.

Internal roads

58. The internal arrangement of the roads and relationship to school lane is considered acceptable and would be subject to detailed consideration as part of any reserved matters application.
59. It is therefore considered that the development as it stands is unacceptable in terms of sustainable transport provision and highway impacts. There is a lack of information, support and commitment with regard to satisfying the sustainability needs of this site; thus there are inadequacies in sustainable transport provision for pedestrians and public transport accessibility to satisfy the NPPF foundation of providing for sustainable transport. In addition the traffic analysis fails to demonstrate network capacity at the Wigan Road/ School Lane junction.
60. It is acknowledged that the developer would be expected to support a level of wider infrastructure in Chorley via CIL contributions. Notwithstanding CIL, currently LCC do not support this development proposal for the following reasons:
61. Further evidence and support is required with regard to the design of the proposed pedestrian improvements/traffic calming on Pear Tree Lane for pedestrian linkage to the wider built environment (Buckshaw Village/Chorley Town centre). As submitted the applicant's TA has not demonstrated the site can provide safe and adequate means pedestrian connectivity to integrate with the existing built environment, or measures to encourage sustainable public transport; hence the development is not in line with a number of key paragraphs of the NPPF including the three dimensions of sustainable development.
62. The application submitted, currently fails to demonstrate network capacity at the Wigan Road/School Lane junction to support the impacts of this proposal. The application TA has not provided adequate traffic modelling for the junction and thus, LCC are currently of the opinion that the scale of the development would lead to future traffic levels on the junction increasing beyond that which can be suitably accommodated and without any form of mitigation for the impact on highway capacity and its reliability to satisfy users' needs.

Ecology

63. **In terms of great crested newts** - there is some additional information to be provided **by** the applicants to cover the difference of opinion between the survey reports for this site and the adjacent allocated housing site. Whilst there are discrepancies within the reports and surveys it is considered that subject to conditions to secure a comprehensive amphibian mitigation strategy that the appropriate legal tests could be met. The survey information is considered to be acceptable to be able to determine the application and no further surveys are required to be carried out before determining the application. The report will be updated on this aspect on the addendum.
64. **In terms of Bats** - As may be expected, bats have been shown to use parts of the site for foraging. Bat activity surveys were professional and in my view adequate to provide a general overview of bat use of the site, particularly because other complementary surveys have been conducted for the site to the north.
65. I am aware of representations made on this this application concerning the value of the site for bats. This representation indicates that the site may be very important for bats, but this view is based on a small number of surveys undertaken more than 20 years ago. Detailed survey results from these studies are not available. I am not denying that previous assessments of the site may

have been accurate, but the site may well have significantly changed in character since the earlier surveys were conducted. I would therefore give much greater weight to the more recent survey results. My own assessment of the habitat value of the site for bats is that feeding opportunities are somewhat limited by the dominance of the species-poor improved grassland. This view is supported by the bat survey results indicating that the site is used by relatively small numbers of bats. The more up-to-date surveys indicate that the most important habitats for bats on the site (hedgerows and trees) are capable of being retained and/or recreated as part of the development, and there is extensive suitable bat foraging habitat around the application site, particularly to the east.

66. I would conclude that the development proposal is capable of being implemented without having a significant impact on local bat populations, providing that valuable habitats are retained, recreated or enhanced.
67. Some of the trees present on or close to the application site have been shown to have some potential to support bats. At this application stage it is not known which trees may be lost to the scheme. I would recommend that should permission be granted to this development further, more detailed surveys of trees for bat roosts should be undertaken to inform any future Reserved Matters applications. Any trees shown to support bats should be retained.
68. **In terms of Habitats** - The application site is dominated by relatively species-poor improved agricultural grassland that is not of substantive ecological value, although there are habitats on the site and very close to the site that have some local value for wildlife, including hedgerows, trees, woodland and wetlands (stream course). These habitats are capable of being retained and/or recreated as part of the scheme, and in fact undertakings have been given in the application documentation, including in the 'Framework' Plans, that the important habitats found on the site will be retained and protected. New landscaping is proposed that will help to mitigate and off-set residual harm.
69. No part of the site is specially designated for its nature conservation value, and the site is not adjacent to or close to any designated sites.
70. The development of the site will inevitably reduce the open-ness of the site and this could affect species movement; the large areas of grassland that will be lost to the scheme are not without any value for wildlife. I would therefore recommend that a comprehensive Landscape Creation and Management Plan for the site be prepared as a Condition of any approval that may be granted to this outline application. The Landscape Plan should include the following details –
 - Details of new ponds / wetland creation
 - Details of how retained hedgerows, trees and wetlands are to be protected during any construction period
 - Planting plans, taking into account the need to contribute to landscape connectivity and the creation of a coherent local ecological network
 - Written specifications (including cultivation and other operations associated with plant and grass establishment)
 - Schedules of plants, noting species, planting sizes and proposed numbers / densities where appropriate
 - Implementation timetables.
71. **In terms of Nesting Birds** - The bird community recorded from the site is not exceptional, but all nesting birds their eggs and young are specially protected

under the terms of the Wildlife and Countryside Act 1981 (as amended). To avoid any harm to nesting birds any vegetation clearance required should be undertaken outside of the optimum period for bird nesting (March to July inclusive).

72. **In conclusion** - I have no overall objections to the application on ecological grounds, but there are significant ecological considerations that will need to be taken into account during the determination of the application and the implementation of the development.

Landscape and Visual Impact

73. The introduction of a new residential development will result in permanent albeit localised changes in the landscape. The character of the landscape of the Site will have changed from a pastoral one to residential with open space.
74. In relation to Landscape and Visual impact the impact is considered to be minor to moderate adverse and the mitigation of the impact of development is a matter appropriate to be conditioned and dealt with at reserved matters stage to integrate open space within the development plus a landscape strategy with the built form of the development.
75. The harm resulting from the impact of development upon the character of the open area is not considered to be so significant to warrant the refusal of the application on this ground.

Sustainable Development and Benefits

76. The central strands of Sustainable Development defined by the Framework are:
- Social Benefits
 - Economic Benefits
 - Environmental Benefits
77. In terms of considering Social Benefits the provision and boosting the supply of market housing has been put forward as a benefit of the development however the Council is already delivering a rate of development that exceeds the annual requirement and there is therefore no requirement or benefit that would arise from this development coming forward ahead a Local Plan review.
78. The provision of Social Housing at a rate of 30 % would be an identified positive element of the proposed development however the Council has a good record of affordable housing delivery and there is therefore no evidence of a real and pressing need to deliver affordable housing that would weigh significantly in favour of the development of this site sufficiently to outweigh the conflict with the Development Plan.
79. In terms of considering Economic Benefits the only factor put forward is the delivery of housing "of the right type, at the right time and in the right location" to deliver the Growth agenda. However the Council is already delivering significant housing of the right type, in the right location and boosting the economic profile and benefits within Chorley. The development would also attract CIL receipts for

the delivery of infrastructure. It is not considered in this instance that the benefits attributed to the development of this site would carry sufficient weight to outweigh the conflict with the development plan.

80. In terms of Environmental Benefit the key positive benefit proposed is the change to the site as a result of this development in terms of additional planting and delivering a net biodiversity gain over and above agricultural land. This benefit in addition to the delivery of public open space within the development site does carry some weight however this is not considered to be so significant to outweigh the conflict with the Local Plan.

CIL

81. The Chorley CIL Infrastructure Charging Schedule provides a specific amount for development. The CIL Charging Schedule was adopted on 16 July 2013 and charging commenced on 1 September 2013. The proposed development will be a chargeable development and the charge is subject to indexation in accordance with the Council's Charging Schedule.
82. The final chargeable amount will be defined as part of a subsequent reserved matters application.

CONCLUSION

83. The application is contrary to the provisions of the development plan and does not represent a sustainable form of development having regard to the Framework presumption in favour of sustainable development. The highway impact of the development in the form submitted represents an unacceptable impact and does not provide adequate connectivity for all future occupiers of the development. There are no material considerations that would outweigh the conflict with the development plan and the Framework taken as a whole.

Reason for Refusal

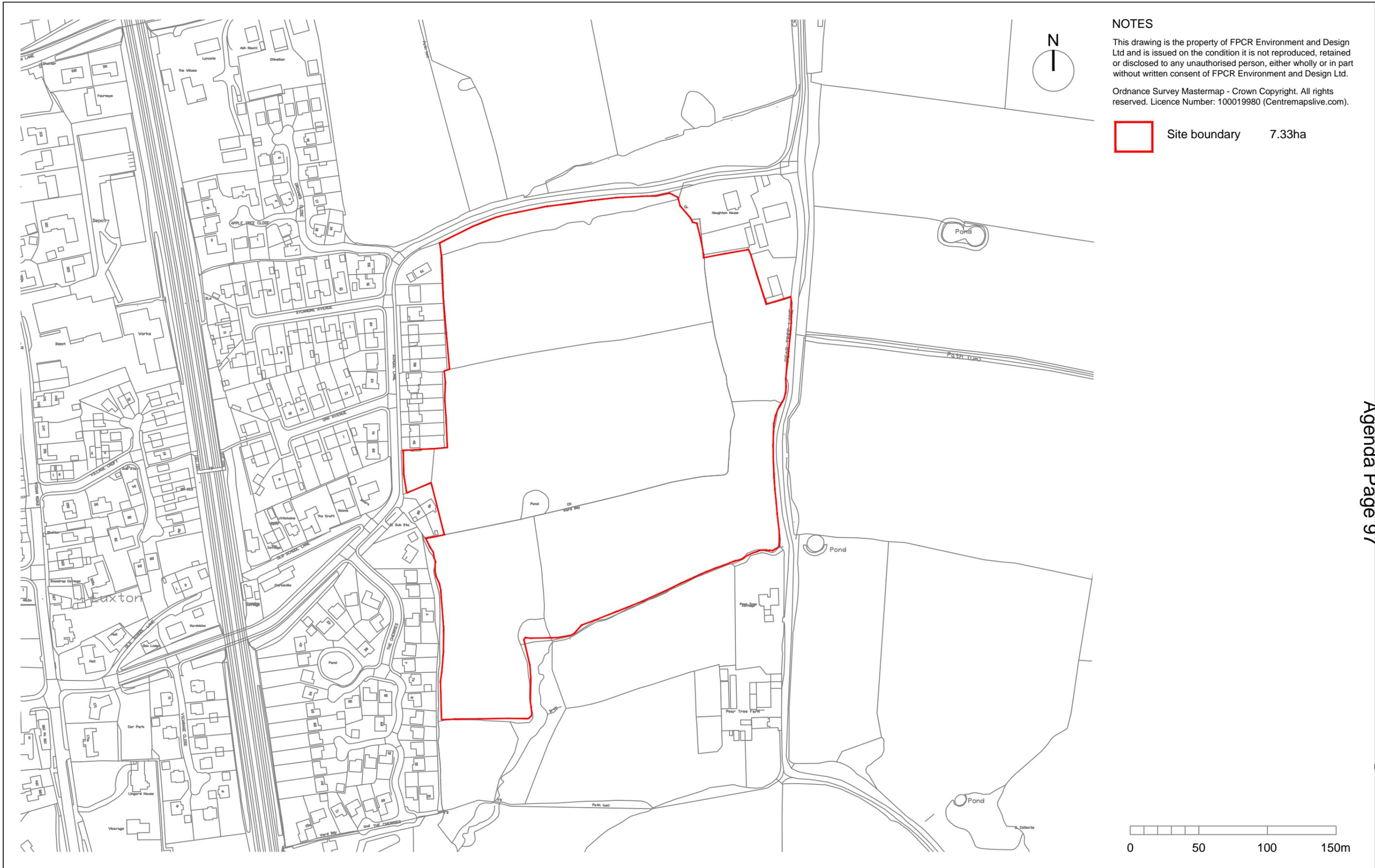
84. To follow

RELEVANT HISTORY OF THE SITE

85. **Ref: 16/00480/SCE Decision: REC Decision Date:**
Description: Screening Opinion for Outline Planning Application for the development of up to 165 residential dwellings and associated public open space and landscaping, with all matters reserved except for access,
86. **Ref: 16/00489/OUTMAJ Decision: PCO Decision Date:**
Description: Outline planning permission for up to 165 dwellings (30% affordable), planting and landscaping, informal open space, children's play area, surface water attenuation, 2 vehicular access points from School Lane and associated ancillary works. All matters to be reserved with the exception of the main site access
87. **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.

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NOTES

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 Site boundary 7.33ha

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APPLICATION REPORT – 15/00850/COU

Validation Date: 24 August 2015

Ward: Coppull

Type of Application: Change of Use Planning

Proposal: Application for a retrospective change of use of a former stable block to storage facility for a separate electrical contractor's business to include provision of a workshop within part of the stable block in association with the electrical contractors business.

Location: Land Rear Of 65 Coppull Moor Lane Coppull

Case Officer: Mr Paul Whittingham

Authorising Officer:

Applicant: LME Services & Repair Ltd

Agent: LME Services & Repair Ltd

Consultation expiry: 26 November 2016

Decision due by: 19 October 2015

RECOMMENDATION

1. Approve subject to the imposition of conditions

SITE DESCRIPTION

2. The application site is the site of stables and a yard area enclosed by a 2 metre high fence. The yard is gated and provides access for parking within the yard area. Access is along a single track lane that is a public footpath and access to Hic Bibbi Nursery. The application site and nursery are sited to the south of a number of properties that front Coppull Moor Lane and have gardens that extend upto the application site and nursery.
3. There are two steel containers that lie to the east of the application site, one is used and occupied by the applicant linked to the electrical contractors business and has been stationed recently within the last few years whilst the other container has been in situ for a much longer period of time.
4. There is an informal parking area laid out within the boundary of the nursery that is used by both the nursery and the electrical contractors to park on.
5. The application site, nursery and the nearby houses are all sited within the green belt and washed over. The edge of the settlement of Coppull is sited some 500m to the north-west.

DESCRIPTION OF PROPOSED DEVELOPMENT

6. The application is to change the use of the stable block to be used as a storage facility for an electrical contractor with one of the stables to be used as a workshop for the use in association with the electrical contractors business. The yard area within the fenced off area is also to be used in association with the electrical contractors business for the parking of a trailer and mini digger.
7. The yard area currently has materials stored within it linked to the electrical contractors business as well as a forklift truck that allegedly was for the nursery business use as well as the electrical contractor but this will be removed from the site.

CONSTRAINTS

8. **Coal consultation zone**
Consult EA Landfill Red Site & 250m Buf
Green Belt
Public Right of Way

RELEVANT HISTORY OF THE SITE

9. **Ref: 15/00850/COU Decision: PCO Decision Date:**
Description: Application for a retrospective change of use of a former stable block to storage facility for a separate electrical contractor's business to include provision of a workshop within part of the stable block in association with the electrical contractors business.
10. **Ref: 92/00743/FUL Decision: PERFPP Decision Date: 12 January 1993**
Description: Erection of stable block and tack room

REPRESENTATIONS

11. 6 letters of objection have been received that are summarised below:-
- The inclusion of a workshop means more permanent presence and activity that will be difficult to monitor and storage does not warrant a workshop.
 - Regular disturbance from unauthorised activities with 3 vehicles often present leading to the erosion of the greenbelt. The building should be returned to equine use.
 - That the manufacturing of gates and barriers with deliveries of steel, banging, welding and the smell of paint is not consistent with the nearby nature reserve and public footpath.
 - Increase in vehicles will have a safety impact.
 - Hours of use are excessive and include weekend working which has a significant impact on residents and should not be conducted from a rural location.
12. In addition to the above there have been a number of responses submitted about alleged activities taking place on the site as a regular update.

CONSULTATIONS

13. **Lancashire Highway Services** – No objection
14. **Parish Council** – No objections

PLANNING CONSIDERATIONSPrinciple of the Development

15. The stables building was erected by a local resident for their own horses and when that use ceased the building and some adjacent land was sold to another local resident and then leased to the Nursery owner who has subsequently leased the stables building and yard to the electrical contractor.
16. The original stables building was erected and planning permission granted in 1992 and the planning permission did not require the building to be removed if the use ceased and therefore the building, sited within the green belt must be considered in relationship to an appropriate use within such a location.
17. In accordance with paragraph 89 of the Framework, the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development is not considered to be inappropriate development. In relation to what is considered to be a previously developed site this is defined by the Framework as "Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure.

18. Local Plan Policy BNE5 relates to the redevelopment of previously developed sites in the Green Belt and in relation to re-use criterion a) states that the re-use should not have a materially greater impact than the existing use on the openness of the greenbelt. Criterion b) states that the development should respect the character of the landscape and has regard to the need to integrate the development with its surroundings.
19. The Rural Development SPD considers the re-use of buildings in the countryside and highlights that re-use or adaption can help reduce demands for new buildings in the green belt. The SPD requires that buildings are permanent and substantial and should not require significant extension which is met in this case. The SPD also describes that re-use for business purposes will usually be preferable to residential use because they will require less alteration.
20. The principal of re-using this former stable block for storage and a workshop is acceptable having regard to the local connection with the owner of the electrical contractor. The impact of the use on the surroundings including nearby residential properties is an assessment that must be made to consider the acceptability of the development as a whole.

Impact of the development on sensitive land uses

21. The use of the stables for a storage use would not have a direct impact upon the nearby residential properties if there were controls put in place over the times of use and that the yard area is not used for storage. The use of part of the stables building as a workshop has been subject to a noise assessment and survey and the advice from the Councils Environmental Health Officer is that the use of hand tools within the building with the door closed is acceptable in noise terms. The noise survey also tested the use of a power washer within the yard area and the impact of this activity on the noise sensitive properties is deemed to be acceptable.
22. However the power washing activity is likely to be associated with the applicant's personal activities of washing motorbikes and other vehicles not in association with its use as an electrical contractors use. The use of the stables and yard area can be restricted by condition to only be used for the purposes of storage and a workshop in association with the electrical contractors business and that there should be no use of tools or activity or storage within the yard area.
23. The use of the workshop is a matter that can also be restricted by condition in terms of the typical hand tools and equipment used and that any operation would be undertaken with the door closed and the additional insulation recommended within the noise report implemented.
24. The potential impact of the use of the application site can also be reduced by restricting the opening hours of the business and on the basis of the proposal to use the stables for storage and a workshop then it would be appropriate to restrict the use of the application site to 07.30 – 18.00 Mon to Fri, 08.00 – 18.00 Sat and at no time on Sun and Bank Holidays. The workshop element should though be limited further and have a more restricted timescale for operating of 08.00.

Other matters

25. There is concern within some of the objections and representations about the steel container sited close to the application site and its use by the applicant. It is clear that this container has been in place for up to 3 years and having regard to the position of the container in the green belt that such an additional new building cannot be justified in planning terms. The applicant has agreed to remove the container and the owner of the nursery site has also agreed that the container would be removed. This will be dealt with as a separate enforcement matter and authority to issue a notice will be sought.

CONCLUSION

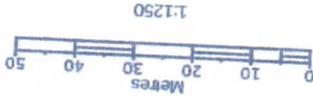
26. The principle of the re-use of the application site for a business use is considered to be acceptable and in accordance with national and local policy subject to restrictions and controls regarding the use of the stables building. With appropriate restrictions imposed by condition the development as a whole can be made acceptable in planning grounds and if the conditions are clear then they can be appropriately enforced.

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

Produced 06 Jul 2015 from the Ordnance Survey MasterMap (Topography) Database and incorporating surveyed revision available at this date.
The representation of a road, track or path is no evidence of a property boundary.
The representation of features as lines is no evidence of a

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APPLICATION REPORT – 16/00527/FUL

Validation Date: 30 June 2016

Ward: Chorley North West

Type of Application: Full Planning

Proposal: Single storey extension and first floor extension to rear elevation of Nursery.

Location: Pipers Private Nursery 11 Southport Road Chorley PR7 1LB

Case Officer: Andrew Williams

Authorising Officer: CT

Applicant: Pipers Day Nursery

Agent: Jane Dickman

Consultation expiry: 21 July 2016

Decision due by: 12 October 2016

RECOMMENDATION

Permit Full Planning Permission on the Approval of 16/00533/FUL.

SITE DESCRIPTION

1. The application site consists a semi-detached three storey building located along Southport Road with three car parking spaces to the principal elevation and additional gated access to the rear from Shaftesbury Place.
2. The building is typically late Victorian/early Edwardian in appearance, being constructed in brick with pediment bay windows to the ground and first floors with front entrance under a stone archway and curved window above. The main pitched roof is lined with slates whilst the modern single storey rear extension is protected by grey concrete tiles.
3. The immediate area is characterised by similarly scaled buildings of corresponding design which occupy long narrow plots with access onto Shaftesbury Place to the southern boundary. The connecting building to the east (No.9) is understood to be in commercial use whilst No.13 to the west, adjacent to the application site, is in residential use. The properties located along Shaftesbury Place to the southern aspect are also in residential use.
4. Each building within the immediate vicinity of the application site has undergone extension and alteration to the rear elevation through the construction of various single storey and two storey extensions of different sizes under a mixture of flat, mono-pitched and gable ended roofscapes.
5. The application site is in use as a children's day nursery.

DESCRIPTION OF PROPOSED DEVELOPMENT

6. The proposal seeks the extension and alteration of the internal of internal layout of the building to facilitate an increase of child places available from 55 to 70 (16/00533/FUL).
7. The development involves a:
 - Single storey extension to the existing rear outrigger measuring approximately 4 meters in depth x 8.88 meters in width x a maximum height of 4.3 meters to the concrete tiled pitched roof;
 - Covered play area measuring 3.7 meters in depth x 5.1 meters in width x 2.4 meters in height; and a
 - First floor rear extension measuring 5.7 meters in depth x 5 meters in width under a gable ended pitched slate roof.
8. The applicant proposes to use matching materials to integrate the development with the existing built form.
9. Committee members are reminded that this application should be read in conjunction with 16/00533/FUL and not permitted unless the associated planning application is also minded for approval.

RELEVANT HISTORY OF THE SITE

- | | | | | | |
|---------------------|--|------------------|---------------|-----------------------|--------------------------|
| Ref: | 93/00403/FUL | Decision: | PERFPP | Decision Date: | 3 August 1993 |
| Description: | Single storey side extension to form additional classroom and toilet accommodation | | | | |
| Ref: | 92/00829/FUL | Decision: | PERFPP | Decision Date: | 7 December 1992 |
| Description: | Formation of vehicular access | | | | |
| Ref: | 92/00280/FUL | Decision: | REFFPP | Decision Date: | 19 May 1992 |
| Description: | Vehicular access | | | | |
| Ref: | 91/00110/TPO | Decision: | PERTRE | Decision Date: | 2 April 1991 |
| Description: | Pruning of horse chestnut tree covered by TPO No.6 (Chorley) 1984 | | | | |
| Ref: | 89/00070/FUL | Decision: | REFFPP | Decision Date: | 2 May 1989 |
| Description: | Vehicular access | | | | |
| Ref: | 89/00069/ADV | Decision: | PERFPP | Decision Date: | 28 March 1989 |
| Description: | Display of name board | | | | |
| Ref: | 87/00549/FUL | Decision: | PERFPP | Decision Date: | 8 September 1987 |
| Description: | Conversion of two ground floor reception rooms into pre-school nursery | | | | |
| Ref: | 86/00420/TPO | Decision: | REFTRE | Decision Date: | 23 September 1986 |
| Description: | Felling 2 horse chestnut trees covered by a tree preservation in garden of | | | | |
| Ref: | 85/00737/TPO | Decision: | REFFPP | Decision Date: | 19 December 1985 |
| Description: | Felling 2 horse chestnut trees | | | | |
| Ref: | 81/00032/FUL | Decision: | PERFPP | Decision Date: | 9 February 1981 |
| Description: | Conversion of coach house to granny flat | | | | |
| Ref: | 80/00859/FUL | Decision: | PERFPP | Decision Date: | 20 October 1980 |
| Description: | Change of use to Nursery and Support Unit for parents of mentally handicapped children (Use Class XV) | | | | |
| Ref: | 80/00711/FUL | Decision: | PERFPP | Decision Date: | 29 September 1980 |
| Description: | Conversion of former Coach House into Granny Flat | | | | |

Ref: 00/00627/COU Decision: REFFPP Decision Date: 25 October 2000
Description: Change of use from mixed use (Day Nursery/Residential) to Day Nursery use with ancillary office and staff accommodation,

Ref: 03/00044/COU Decision: PERFPP Decision Date: 30 April 2003
Description: Change of use from mixed use (residential/day nursery) to day nursery,

Ref: 05/00421/INV Decision: APPVAL Decision Date:
Description: Demolish existing wall , remove trees and create a parking area to the rear of the existing nursery

Ref: 05/01203/FUL Decision: REFFPP Decision Date: 8 February 2006
Description: Demolish existing wall, remove tree and create a parking area to the rear of the existing nursery

Ref: 14/00589/ADV Decision: PERADV Decision Date: 12 August 2014
Description: Retrospective application for advertisement consent for a Non-illuminated sign on gable end of property

Ref: 16/00065/FUL Decision: WDN Decision Date: 18 March 2016
Description: Erection of single storey rear extension and first floor rear extension

Ref: 16/00890/FUL Decision: PCO Decision Date:
Description: Build an open wooden canopy/shelter at the bottom of the garden to be used by the children during outdoor play.

REPRESENTATIONS

10. In the determination of this application six letters of representation (two duplicates and three from the same resident) have been received detailing the following concerns:
- Insufficient car parking provision for nursery clients;
 - The lack of turn space causes cars to use resident's driveways;
 - Damage to cars;
 - Obstructions from car parking in unauthorised locations along neighbouring roads, particularly Shaftesbury Place;
 - At peak times it is impossible for emergency vehicles to access the site;
 - Noise implications which will intensify;
 - There have been successive applications to enlarge the nursery with great concern raised by local residents.
 - Loss of light and risk of overlooking to the occupiers of The Coach House;
 - The extension will exacerbate the traffic problems; and
 - If the condition variation is granted and the extension refused, the numbers will be increased to an even greater level and perhaps be used at some future date to justify extensions either at appeal or by a future application.
11. In the submission documentation, the following letters of support have been included which summarise that:
- Pipers Nursery is essential in working closely with the Duke Street Children's Centre which supports vulnerable families;
 - The nursery shares resources with support through a Speech and Language screening and intervention package;
 - The future of child care is to offer working parents 30 hours of free childcare whereas at present they only get 15 hours. This infers that, from September 2017, there will be a large shortfall of nursery places available if all working parents take up the offer.
 - The Nursery contributes substantially to the Derian House Children's Hospice; and
 - The Nursery supports the local Astley and Buckshaw Junior Football Club.

CONSULTATIONS

Regulatory Services - Environmental Health – No response received in reference to the extension.

Lancashire County Council Archaeology Service – No objection.

PLANNING CONSIDERATIONS

12. In the determination of this application the main considerations are:
- Principle of development;
 - Siting, scale and design;
 - Highways; and
 - Amenity to neighbouring properties.

Principle of development

13. As indicated within paragraph 72 of the NPPF the Government attaches great importance *'to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local Planning authorities should take a proactive, positive and collaborative approach to meeting this requirement and to development that will widen choice in education'*.
14. Whilst it is acknowledged that a nursery is not incorporated within the definition of a 'school', its assimilation with education is of great importance to the local community and should be given due weight in the determination of an planning application. As such, the principle of extension to the nursery is acceptable providing other material considerations as detailed below are compliant with local and national planning policy guidelines.

Siting, scale and design

15. Policy BNE1 of the Local Plan states that new development should not have a 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.
16. The NPPF at paragraph 60 states that *'planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is however, proper to seek to promote or reinforce local distinctiveness'*.
17. The proposal seeks the extension and alteration of an existing building located within a predominately residential area. As shown on the submitted plans, the extensions are solely located to the rear elevation with limited intermittent views from public vantage points along Southport Road. In respect to Shaftesbury Avenue to the rear, the first floor extension would be sited in excess of 33 meters whilst the ground floor extension lies approximately 22 meters from the road with a 1.8 meter high brick wall to the boundary. It is therefore considered that the distance, in addition to the position of the high wall, will ensure that the proposed development does not impact upon the wider character and appearance of the area.
18. In respect to its immediate impact upon the existing building, the single storey rear extension remains a subservient addition, despite its length, given the height and overall massing of the existing building which given its historical context is larger than contemporary structures. There is no objection to the first floor extension which is of a proportionate size to appear a subservient addition to the main building.
19. In respect of materials, the proposal assimilates with the existing built form through matching brickwork and a mixture of slate and concrete grey tiles.

20. The proposal is therefore considered to comply with policy BNE1 of the Local Plan.

Highways

22. Policy BNE1 of the Chorley Local Plan (2012-2026) indicates that planning permission will be granted where the residual cumulative highways impact of the development is not severe and it would not prejudice highway safety, pedestrian safety, the free flow of traffic, and would not reduce the number of on-site parking spaces.
23. In respect to the impact of the extension upon the highway network, it is not considered that the extensions would have any discernible impact upon highway safety. The existing car parking arrangements are to be retained with Lancashire Highways raising no objection to this part of the scheme. It is considered necessary, however, to understand how the construction traffic will operate to ensure the amenities of local residents are maintained. A condition is therefore recommended to be attached to any grant of any permission.
24. On the provision of a Construction Method Statement, the proposal is considered to comply with the policy BNE1 of the Local Plan. It should be noted that a separate application has been made to increase the number of children that can be in attendance at the nursery (ref: 16/00527/FUL), therefore permitting this application will not automatically allow more children to attend. The issues surrounding increasing the capacity of the nursery as assessed under this separate application.

Amenity to neighbouring occupiers

25. 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.
26. In evaluating the appropriateness of the development it is considered that there would be no additional adverse impacts upon the amenities of neighbouring properties warrant a reason for refusal. It is acknowledged that windows are envisaged to the side elevation of the proposed development, however this would be at a sufficient distance to meet spatial standards and given the height of the boundary treatment, this adequately negates any perceived overlooking or overbearing effect the proposal would have on immediate occupiers.
27. In respect to properties located along Shaftesbury Avenue, the proposed development is sited over 22 meters from facing windows with a protected tree and 1.8 meter high brick wall to the boundary to adequately negate any impact of overlooking or overbearing effect.
28. The proposal is considered to comply with policy BNE1 of the Local Plan.

CONCLUSION

29. The proposed extensions to the nursery building are considered proportionately scaled to ensure the character and appearance of the building and that of the locality is sufficiently preserved. There are no overriding issues concerning highways or the impact of development upon neighbouring properties and therefore the proposal is recommended for approval on the grant of 16/00533/FUL.

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

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 be carried out in accordance with the approved plans below:

Reason: For the avoidance of doubt and in the interests of proper planning

Title	Plan Ref	Received On
Location Plan	N157P1	8 June 2016
Proposed Plans	N157P2 REV A	8 June 2016

3. The external facing materials, detailed on the approved plans, shall be used and no others substituted.

Reason: To ensure that the materials used are visually appropriate to the locality.

4. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. hours of operation (including deliveries) during construction
- iii. loading and unloading of plant and materials
- iv. storage of plant and materials used in constructing the development
- v. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- vi. wheel washing facilities
- vii. measures to control the emission of dust and dirt during construction
- viii. a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: in the interests of highway safety and to protect the amenities of the nearby residents.



4 Site Location Plan
1 : 1250 N157P1

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Agenda Item 3k**APPLICATION REPORT – 16/00533/FUL**

Validation Date: 28 June 2016

Ward: Chorley North West

Type of Application: Full Planning

Proposal: Variation of condition 4 attached to 03/00044/COU (the change of use from mixed use (residential/day nursery) to day nursery) to increase the total number of children within the building from 55 to 70.

Location: Pipers Private Nursery 11 Southport Road Chorley PR7 1LB

Case Officer: Andrew Williams

Applicant: Pipers Day Nursery

Agent: Jane Dickman

Consultation expiry: 19 August 2016

Decision due by: 12 October 2016

RECOMMENDATION

Permit Full Planning Permission

SITE DESCRIPTION

1. The application site consists a semi-detached three storey building located along Southport Road with three car parking spaces to the principal elevation and additional gated access to the rear from Shaftesbury Place.
2. The building is typically late Victorian/early Edwardian in appearance, being constructed in brick with pediment bay windows to the ground and first floors with front entrance under a stone archway and curved window above. The main pitched roof is lined with slates whilst the modern single storey rear extension is protected by grey concrete tiles.
3. The immediate area is characterised by similarly scaled buildings of corresponding design which occupy long narrow plots with access onto Shaftesbury Place to the southern boundary. The connecting building to the east (No.9) is understood to be in commercial use whilst No.13 to the west, adjacent to the application site, is in residential use. The properties located along Shaftesbury Place to the southern aspect are also in residential use.
4. Each building within the immediate vicinity of the application site has undergone extension and alteration to the rear elevation through the construction of various single storey and two storey extensions of different sizes under a mixture of flat, mono-pitched and gable ended roofscapes.

5. The application site is in use as a children's day nursery.

DESCRIPTION OF PROPOSED DEVELOPMENT

6. This application seeks the variation of condition 4 attached to 03/00044/COU which sought the change of use of 11 Southport Road from a mixed use (residential/day nursery) to a day nursery.
7. Condition 4 attached to the decision notice dated 30 April 2003 reads:
*'4. The total number of children within the building shall not exceed 55 at any time.
Reason: In the interests of the amenities of the local residents'*
8. This application seeks to vary the condition to increase the total number of children within the building from 55 to 70.
9. Committee members are reminded that a separate application is also reported on this committee agenda for an application for extensions to the nursery (ref: 16/00527/FUL).

RELEVANT HISTORY OF THE SITE

Ref: 00/00627/COU Decision: REFFPP Decision Date: 25 October 2000
Description: Change of use from mixed use (Day Nursery/Residential) to Day Nursery use with ancillary office and staff accommodation,

Ref: 03/00044/COU Decision: PERFPP Decision Date: 30 April 2003
Description: Change of use from mixed use (residential/day nursery) to day nursery,

Ref: 05/00421/INV Decision: APPVAL Decision Date:
Description: Demolish existing wall , remove trees and create a parking area to the rear of the existing nursery

Ref: 05/01203/FUL Decision: REFFPP Decision Date: 8 February 2006
Description: Demolish existing wall, remove tree and create a parking area to the rear of the existing nursery

Ref: 14/00589/ADV Decision: PERADV Decision Date: 12 August 2014
Description: Retrospective application for advertisement consent for a Non-illuminated sign on gable end of property

Ref: 16/00065/FUL Decision: WDN Decision Date: 18 March 2016
Description: Erection of single storey rear extension and first floor rear extension

Ref: 16/00527/FUL Decision: PDE Decision Date:
Description: Single storey extension and first floor extension to rear elevation of Nursery.

Ref: 16/00890/FUL Decision: PCO Decision Date:
Description: Build an open wooden canopy/shelter at the bottom of the garden to be used by the children during outdoor play.

Ref: 93/00403/FUL Decision: PERFPP Decision Date: 3 August 1993
Description: Single storey side extension to form additional classroom and toilet accommodation

Ref: 92/00829/FUL Decision: PERFPP Decision Date: 7 December 1992
Description: Formation of vehicular access

Ref: 92/00280/FUL Decision: REFFPP Decision Date: 19 May 1992

Description: Vehicular access

Ref: 91/00110/TPO Decision: PERTRE Decision Date: 2 April 1991
Description: Pruning of horse chestnut tree covered by TPO No.6 (Chorley) 1984

Ref: 89/00070/FUL Decision: REFFPP Decision Date: 2 May 1989
Description: Vehicular access

Ref: 89/00069/ADV Decision: PERFPP Decision Date: 28 March 1989
Description: Display of name board

Ref: 87/00549/FUL Decision: PERFPP Decision Date: 8 September 1987
Description: Conversion of two ground floor reception rooms into pre-school nursery

Ref: 86/00420/TPO Decision: REFTRE Decision Date: 23 September 1986
Description: Felling 2 horse chestnut trees covered by a tree preservation in garden of

Ref: 85/00737/TPO Decision: REFFPP Decision Date: 19 December 1985
Description: Felling 2 horse chestnut trees

Ref: 81/00032/FUL Decision: PERFPP Decision Date: 9 February 1981
Description: Conversion of coach house to granny flat

Ref: 80/00859/FUL Decision: PERFPP Decision Date: 20 October 1980
Description: Change of use to Nursery and Support Unit for parents of mentally handicapped children (Use Class XV)

Ref: 80/00711/FUL Decision: PERFPP Decision Date: 29 September 1980
Description: Conversion of former Coach House into Granny Flat

REPRESENTATIONS

10. During the determination of this application the following representations were received objecting to the proposal:

- 6 letters of objection received from the same household at no.13 Southport Road;
- 1 letter of objection received from the occupier of no.2 Shaftesbury Place;
- 1 letter of objection received from the occupier of no.7 Shaftesbury Place;
- 1 letter of objection received from the occupier of no.9 Shaftesbury Place;
- 1 letter of objection received from the occupier of no.15 Shaftesbury Place;
- 1 letter of objection received from the occupier of no.16 Shaftesbury Place; and
- 1 letter of objection received from the occupier of The Coach House, Shaftesbury Place.

11. In summary, the objectors raised the following concerns:

- The rear extensions would reduce light levels in the kitchen and dining room area of No.13 Southport Road;
- Insufficient car parking provision for nursery clients;
- At peak times Shaftesbury Place is blocked with customer's cars blocking driveways and access for neighbouring occupiers;
- There is insufficient 30 minute spaces available with customers regularly using 'resident only' spaces;
- Children are unable to play on Shaftesbury Place due to the traffic;
- The lack of turning space causes cars to use resident's driveways;
- Minor damage has occurred to neighbours cars;
- Obstructions from car parking in unauthorised locations along neighbouring roads, particularly Shaftesbury Place;
- At peak times it is impossible for emergency vehicles to access the site;
- Refuse collection lorries cannot access the road at peak times;

- Noise implications which will intensify;
 - There have been successive applications to enlarge the nursery with great concern raised by local residents.
 - Loss of light and risk of overlooking to the occupiers of The Coach House;
 - The extension will exacerbate the traffic problems;
 - If the condition variation is granted and the extension refused, the numbers will be increased to an even greater level and perhaps be used at some future date to justify extensions either at appeal or by a future application;
 - In 2000/2001 an application to change the first floor residence to a nursery use (total 55 children) was refused due to the increase in vehicle movements. The decision was appealed and dismissed by an Inspector who considered that Shaftesbury Avenue was inadequate to serve the number presently associated with the nursery. In 2003, an application was granted for the use of the building for a maximum of 55 children however the current application indicates that the children numbers have increased to 62 which is in breach of condition 4;
 - Application 16/00065/FUL was submitted and later withdrawn after many objections from residents;
 - The submitted Transport Statement offers no solution to the problem of excessive vehicle movements; and
 - The application is for an increase in floor area of 50sqm to accommodate 8 more children. However this number is likely to be more.
12. In the submission documentation, the following letters of support have been included which summarise that:
- Pipers Nursery is essential in working closely with the Duke Street Children's Centre which supports vulnerable families;
 - The nursery shares resources with support through a Speech and Language screening and intervention package;
 - The future of child care is to offer working parents 30 hours of free childcare whereas at present they only get 15 hours. This infers that, from September 2017, there will be a large shortfall of nursery places available if all working parents take up the offer.
 - The Nursery contributes substantially to the Derian House Children's Hospice; and
 - The Nursery supports the local Astley and Buckshaw Junior Football Club.

CONSULTATIONS

Lancashire Highway Services – No objection subject to permit parking for staff members and the submission of a Travel Plan promoting the reduced dependence of car borne journeys.

Regulatory Services - Environmental Health – No objection.

PLANNING CONSIDERATIONS

13. In the determination of this application the main considerations are:
- Principle of development;
 - Highways;
 - Amenity to neighbouring properties; and
 - Other matters.

Principle of development

14. Paragraph 7 of the NPPF (2012) identifies three dimensions to sustainable development which involves economic, social and environmental considerations. This is further supported through paragraph 14 which indicates that there is a presumption in favour of sustainable development which should be seen as a 'golden thread' running through local policy and during the decision making process. In regards to the decision making process, the NPPF states that:

- Development proposals which accord with the development plan shall be approved without delay; and
 - Where the development plan is absent, silent or relevant policies are out-of-date permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the framework as a whole; or specific policies which indicate that development should be restricted.
15. In addition to the above, paragraph 17 of the NPPF seeks to encourage sustainable economic development to positively meet the needs of local communities with consideration given to delivering sufficient community and cultural facilities.
16. As indicated within paragraph 72 of the NPPF the Government attaches great importance *'to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local Planning authorities should take a proactive, positive and collaborative approach to meeting this requirement and to development that will widen choice in education'*.
17. At a local level, there are no specific policies relating to nursery development however policies relating to school and higher education provision are demonstrated through policy 14 of the Cores Strategy. Policy 14 encourages provision for education by enabling new schools and other educational facilities to be built in locations where they are accessible by the communities they serve, using sustainable modes of transport. Furthermore, the support for the retention of Children's Centres is mentioned within policy HW6 of the Local Plan.
18. Whilst it is acknowledged that a nursery is not incorporated within the definition of a 'school' or a 'Children's Centre', its assimilation with education is of great importance to the local community and should be given due weight in the determination of a planning application.
19. The principle use of the building as a nursery is previously established and the proposal is considered acceptable in principle subject to the acceptability of the cumulative impacts of the increased capacity on the highway network and the amenity of neighbouring residential properties.

Highway considerations

21. Paragraph 32 of the NPPF states that planning decisions should take into consideration:
- Opportunities available for sustainable transport modes depending on the nature and location of the site;
 - Safe and suitable access to the site can be achieved for all people; and
 - Improvements proposed to limit significant impacts of development.
22. Moreover, paragraph 32 reiterates that:
- 'development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'*.
23. Policy BNE1 of the Chorley Local Plan (2012-2026) indicates that planning permission will be granted where the residual cumulative highways impact of the development is not severe and would not prejudice highway safety, pedestrian safety, the free flow of traffic, and would not reduce the number of on-site parking spaces.
24. In support of the application a Transport Statement produced by SK Transport Planning (dated June 2016) has been submitted. The Statement identifies the current arrangements for car parking provision for existing staff numbers and the level of available parking bays available within the surrounding area for the dropping off/picking up of children.

25. In this regard the Statement recognises that there are 5 available car parking spaces off Southport Road for 22 full-time and 3 part-time staff members (of which there are only 18 staff members on the site at any given time) with access gained for customers from Shaftesbury Place to the rear of the application site. Parking is available to the general public within 9 marked bays on the northern side of Shaftesbury Place for a maximum stay of 30 minutes, as well as various other roads within the immediate area contributing towards the provision of car parking for public use. It is noted, however, that the southern side of Shaftesbury Place is exclusive to residential permits.
26. In reference to car based journeys the Statement surmises that 44% of staff are reliant on the car (61% if including passengers) whilst at table 3.7 nursery activity on Shaftesbury Place considers an accumulation in numbers of cars using the 9 available public spaces as between 1-4 cars at peak times throughout the day. This figure is based upon a survey undertaken between 07.15 to 9.30am and 04.15 to 6.30pm on Tuesday 10th May 2016. The same survey was undertaken at Ashfield Road (table 3.9) which also showed an accumulation of between 1-4 cars at peak times throughout the day.
27. As a result of the findings, the assessor considered that the existing provision of short-stay space on the northern side of Shaftesbury Place (9 vehicles) and those available along Ashfield Road is sufficient to meet the current demand generated by the nursery.
28. In addition to the above, a parent survey was undertaken to consider the modes of transport for the children. The data (table 3.4) showed that between weekdays dependence on the car ranged from 56% to 74% (this excluded travel with staff members) and between 21% and 37% for parents walking or using public transport.
29. In terms of future modes (based upon 70 children), the analysis considered that the future accumulation patterns over the same timeframe would range from 1-5 cars and therefore would be accommodated by the existing provision. Furthermore, the results showed that Ashfield Road was significantly underutilised and therefore the applicant would actively encourage parents to also use the additional parking bays available on Ashfield Road and Collison Road to further spread the impact of the nursery on the surrounding highways network.
30. In response to the Transport Statement, Lancashire County Council Highways acknowledged the accessibility and general sustainability of the site to various transport networks. However, concerns were raised by the suppositions made within the submitted Statement.
31. The Highway Officer accepted the approach taking in respect to staff parking however noted that the evidence base assumed that there would only ever be 18 staff on site. As indicated within the Statement (paragraph 3.11) the nursery currently hires 22 full-time and 3 part-time staff members and therefore concern was raised as to whether consideration had been given to the possibility of more than 18 being present on site at any one time. In this regard, and based upon the car journeys evidenced, there would be insufficient spaces to accommodate any additional staff members if all 23 staff were to be accounted for.
32. As indicated within the Statement, the existing staff off-street parking provision is located to the front of the building along Southport Road. It is stated that this area accommodates 5 car park spaces however from a highways safety point of view and based upon the standard sized parking space (2.4m x4.8m), it is estimated by the Highways Officer that the site is only capable of accommodating 3 cars to the front of the site. It is therefore apparent that the nursery lacks adequate off-street car parking facilities to meet the needs of the staff. It has been acknowledged by the Highways Officer that whilst the applicant is not expected to fully meet the standard due to the size and location of the site, any deficit in parking must be made up for by measures to encourage more sustainable travel choices.

33. In respect to the capacity issue and cumulative impact of additional car journeys of parents accessing the facility, the Highway Officer eludes to Shaftesbury Place having no turning facility and although vehicles in the limited waiting bays are permitted to partially park on the footway, consideration must be given to this being a two way street where the presence of parked cars on both sides severely hinders traffic movements and can cause additional delays. Moreover, as young age children require parents to escort them into the scheme, inappropriately parked cars are often left unattended longer than the 10 minutes specified in paragraph 3.24 of the Transport Statement. As a result, and as experienced on site by the Officer, the delays are often compounded by drivers undertaking unacceptable turning and reversing manoeuvres into Ribblesdale Road with an increase in the number of car journeys exacerbating which is already considered to be unsatisfactory traffic conditions on Shaftesbury Place and the surrounding highway network.
34. The Highway Officer also considers that given the high number and percentage of parents driving their children to and from the nursery as explained in paragraphs 3.18-3.32, the proposal seems rather reliant on the availability of limited on-street waiting facilities provided on the local network with no consideration given to the use of those spaces by members of the public who are undertaking unrelated activities. As a result it is deliberated that should these spaces be unavailable, given the nature of the facility, parents would have difficulties and potential contravene the existing waiting restrictions and the general highway safety of the immediate area.
35. It was therefore considered that based on the information provided the nursery lacked adequate parking facilities customers with the effect of increased traffic movements compromising the safety of the highway network. As a result, the Highways Officer recommended the application to be refused.
36. In receipt of the consultation response and further to extensive negotiation between the highways consultant and Lancashire County Council, the initial consultation response detailing a recommendation of refusal by the Highways Officer was retracted and substituted on the 28th October 2016 by a revised consultation response.
37. The amended response detailed the Highway's Officers recognition that parking provision for staff is inadequate with the proposed increase in the number of nursery children from 55 to 70 potentially causing a material increase in travel demands whereby impacting upon the usability of the highway network.
38. In an effort to negate these concerns, the Highway's Officer has agreed with the applicant's intention to purchase two additional car parking permits for use of the nearby public car parks (the nearest being approximately 350m away) by staff that require the additional spaces is sufficient. This was considered acceptable taking into account the additional 1 staff member hired through the enlargement of the facility and also, realistically, the applicants use of the front car parking area by 5 cars which despite not meeting the parking standard, is not enforceable to restrict.
39. The applicant had also agreed to the introduction of a School Travel Plan with measures to encourage sustainable modest of travel to and from the nursery.
40. As a result of these arrangements the Highways Officer is now of the opinion that the proposed increase in capacity to the nursery is acceptable providing the School Travel Plan is implemented and the off-site staff parking arrangements are confirmed. The permits for staff are considered necessary to make the development acceptable. The advice of the Council's legal department has been sought to check that the purchase of car parking permits for staff can be secured, either via a condition or through a legal agreement and therefore taken into account as a material consideration in determining the application. This matter will be updated on the addendum.
41. An interim School Travel Plan has now been submitted as a means of providing additional information on the intentions of the applicants to promote sustainable travel

alternatives. This includes the creation of a Travel Plan Coordinator responsible for the day-to-day running of the travel plan and also the development, implementation and monitoring the travel plan's effectiveness. The Coordinator will also be responsible for raising awareness and marketing of the travel plan.

42. As confirmed through Paragraph 32 of the NPPF the applicant has identified measures which have the capability to negate the concerns raised previously and improve the effectiveness of the highway network to the benefit of the nursery and local residents. The paragraph reiterates that '*development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe*'. In this regard the Highways Officer does not consider that the residual cumulative impacts of development are now severe and therefore in the opinion of the Planning Officer, based upon the specialist advice provided, the proposal complies with policy BNE1 of the Local Plan and relevant paragraphs of the NPPF (2012). This is subject to the Council being able to secure the parking permits as detailed above.

Amenity to neighbouring properties

43. Policy BNE1 of the Local Plan states that new development must not cause harm to any neighbouring property. This is supported by the NPPF (2012) which under paragraph 17 states that development should seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
44. The application has generated 12 letters of objection from local residents largely concerning the level of traffic generated at peak times and the impact this has upon the amenities of those occupiers. Furthermore, noise impacts were also raised as a concern.
45. It is important to note, however, that the impact of the extensions themselves is not a material consideration in the determination of this application and has been assessed within the associated planning application 16/00527/FUL.
46. In regard to the potential noise impacts associated with the increased capacity of children the Council's Environmental Health department have been consulted and have raised no objection to the proposal given the site's existing established use as a day nursery which generates a level of noise which is not considered to be amplified by the addition of 15 children.
47. It is considered, however, that any increase in capacity has the ability to impact upon highway safety and the usability of the surrounding streets by immediate residents. Notwithstanding this, and as demonstrated above, the intention of the applicant to implement a School Travel Plan will have a positive impact upon the amenities of local residents with customers made more aware of the underutilisation of surrounding streets and the promotion of more sustainable modes of travel through public transport, car sharing or walking.
48. The concerns raised by local residents are duly noted however with the implementation of a School Travel Plan, alongside additional permits being bought for staff members, should improve the usability of the local network and therefore the amenities of local residents in accordance with Policy BNE1 of the Local Plan and guidance contained within paragraph 17 of the NPPF.

Other matters

49. As noted within one of the representations received by a local resident, the change of use of the building from a mixed use (day nursery and residential) to a day nursery with ancillary office and staff accommodation was refused under 9/00/00627/COU on the 25th October 2000. The reason for refusal considered that:

'The proposed change of use would result in an increased number of children accommodated within the nursery, which would in turn lead to an increased number of vehicles being brought to the site and, in particular, onto Shaftesbury Place. Due to the lack of any on-site parking provision, the restricted width and limited street parking this would add to the congestion and be detrimental to the amenities of residents on Shaftesbury Place'

50. In receiving a refusal notice, the applicant brought the application before the Planning Inspectorate (PINS ref no. APP/D2320/A/01/1058972) where it was later dismissed on the 31st May 2001 due to concerns raised by the Inspector that Shaftesbury Place was inadequate to serve the numbers presently associated with the nursery based upon vehicle movements and the children numbers which was at the time controlled by the amount of floor space permissible for nursery activities.
51. However, since this decision, planning permission was granted in 2003 (03/00044/COU) for the change of use of the building as a nursery. This application was permitted on the transport information submitted alongside the proposal and a maximum capacity within the building of 55 children.
52. For the purposes of this application it is not considered that 9/00/00627/COU is of irrelevant given that planning policy has significantly changed since 2001 and the principle has been now been established through the grant of 03/00044/COU. No weight is therefore attributed to the previously refused application.

CONCLUSION

Planning Balance

53. The proposal seeks to increase the capacity of children at the nursery from 55 to 70 in an effort to support the financial viability of the nursery given the Government's intentions of offering free funding for nursery places from 15hrs a week to 30hrs a week. The expansion is therefore to allow the nursery to accommodate the proposed changes in Government policy. This is considered to be in accordance with the main thrust of paragraph 72 of the NPPF and carries significant weight.
54. It is considered the initial concerns raised by the Lancashire County Council's Highways Officer could be negated through the acceptability of providing additional car parking permits for staff members elsewhere (subject to legal advice that the purchase of car parking permits for staff can be secured, either via a condition or through a legal agreement) and the implementation of a School Travel Plan to reduce the reliance, and therefore the amount, of car journeys anticipated by customers using the site.
55. It is in the opinion of the Planning Officer that, on balance, the benefits of the proposal outweigh the harm when assessed against the policies of the framework as a whole. The applicant has shown willingness to achieve suitable solutions in an effort to reduce the concerns raised by local residents and the Highways Authority.
56. Notwithstanding the above, it is a finely balanced application and it is for Members to consider if the commitments made by the applicant will sufficiently negate the concerns detailed above.
57. The application is recommended for approval subject to legal advice that parking permits can be secured through a condition or a legal agreement. This will be updated on the addendum.

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

1. The development hereby permitted shall be carried out in accordance with the approved plans below:

Reason: For the avoidance of doubt and in the interests of proper planning

Title	Plan Ref	Received On
Location Plan	N157P1	8 June 2016
Proposed Plans	N157P2 REV A	8 June 2016

2. Prior to the commencement of the development a full Travel Plan for the site shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall be generally in accordance with document submitted with the application entitled 16/00533/FUL. The development thereafter shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To reduce the number of car borne trips and to encourage the use of public transport.

3. The total number of children at the day care nursery facility shall not exceed 70 at any time.

Reason: In the interests of the amenities of the local residents.

4. All windows in the first floor of the building's west elevation shall be fitted with obscure glass and obscure glazing shall be retained at all time thereafter.

Reason: In the interests of the privacy of occupiers of neighbouring property.



Site Location Plan

1 : 1250

N157P1

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