

APPLICATION REPORT – 20/01065/FUL

Validation Date: 12 October 2020

Ward: Astley And Buckshaw

Type of Application: Full Planning

Proposal: Erection of a children's nursery with associated landscaping and car parking

Location: Land At Barnes Wallis Way Barnes Wallis Way Buckshaw Village

Case Officer: Mr Iain Crossland

Applicant: Kids Planet Day Nurseries Ltd

Agent: Paige Linley, Leith Planning Group

Consultation expiry: 2 November 2020

Decision due by: 11 December 2020

RECOMMENDATION

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

SITE DESCRIPTION

2. The application site is a vacant plot of land located on Buckshaw Village and is an allocated employment site in the Chorley Local Plan 2012-2026. The site is bounded to the north by a restaurant takeaway with drive-thru, beyond which is the main highway of Buckshaw Avenue, to the east by the War Horse Public House and car park, to the south by Barnes Wallis Way and employment units and to the west by existing residential development. The site is relatively flat and there is an existing vehicular access point from Barnes Wallis Way that already serves the restaurant takeaway with drive-thru.

DESCRIPTION OF PROPOSED DEVELOPMENT

3. Planning permission is sought for the erection of a children's day care nursery building with associated car parking and landscaping. The proposed building would be a single storey structure with a hipped roof, and would measure approximately 32m by 18m. Access would be taken from an existing access road to the east of the site currently serving the restaurant takeaway.
4. The car park would be located to the east of the site, and the proposed nursery building to the west of it. The building would be set against the west boundary of the site, with external play areas to the north and east
5. The external materials of the building would comprise red/brindle brickwork up to window head height, white décor panels above a projecting cill course up to eaves level, grey colour coated aluminium window and door frames, guttering and downpipes and a silver grey colour coated metal pitched roof.

REPRESENTATIONS

6. Three representations have been received citing the following grounds of objection:

- No need for further nursery provision in this area.
- Impact of new nurseries on existing provision.
- Loss of employment at other nurseries if a new nursery opens on this site.
- Employment land should be retained.
- Request that the application be determined by Planning Committee.

CONSULTATIONS

7. Euxton Parish Council: No comments have been received.
8. Regulatory Services - Environmental Health: Have confirmed that they have no objection.
9. Lancashire Highway Services: Comments to follow.
10. Waste & Contaminated Land: Have confirmed that they have no comments to make.
11. United Utilities: Have no objection subject to conditions.

PLANNING CONSIDERATIONS

Principle of development

12. The National Planning Policy Framework (The Framework) states that “The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.”
13. Paragraph 80 of the Framework outlines that planning policies and decisions should help to create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
14. Paragraph 81 states planning policies should, amongst other things “be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances.”
15. The application site is located in the core settlement area at Buckshaw Village, which is a mixed use strategic site identified for growth and investment within the Central Lancashire Core Strategy policy 1(c).
16. The site itself is an allocated employment site covered by policy EP1.13 (Southern Commercial) of the Chorley Local Plan 2012 – 2026 and is protected for business, general industrial or storage and distribution (B1, B2 or B8) for the plan period.
17. The Council aims to retain employment sites to support sustainable economic growth. This proposal would result in the loss of allocated employment land and so Central Lancashire Core Strategy policy 10: Employment Premises and Sites and the Supplementary Planning Document (SPD) on Controlling Re-use of Employment premises applies. Policy 10 states that existing employment premises and sites last used for employment will be protected for employment use. There will be a presumption that ‘Best Urban’ and ‘Good Urban’ sites will be retained for B use class employment use. Consideration will only be given to alternative uses on this site where an applicant has clearly demonstrated that the criteria in Policy 10 have been met in full.
18. Policy EP1 of the Chorley Local Plan 2012 to 2026 also requires that all sites allocated for employment be covered by criteria (a) to (h) of Core Strategy policy 10. The criteria of policy 10 are assessed below:

19. *(a) there would not be an unacceptable reduction on the type, quality or quantity of employment land supply;*
20. Paragraph 19 of the SPD explains that evidence such as that provided by the marketing requirements set out under criteria (g) of Core Strategy policy 10 is required to determine whether the reduction of the type, quality or quantity of employment land would be acceptable. The policy and SPD requires marketing to take place and, therefore, evidence such as that provided by the marketing requirement set out under criteria g) and Appendix 1 is required to determine market signals (para 19; criterion g) page 19 and Appendix 1 of the SPD).
21. The applicant has advanced a marketing report in support of the proposed development. This sets out the details of a marketing campaign that commenced in May 2018 following the receipt of planning permission under application 17/00764/FULMAJ, which included employment units. The report demonstrates that marketing was widespread and appropriately targeted. This resulted in only two direct enquiries from perspective business occupiers who were ultimately drawn to alternative competing office and industrial locations in the vicinity including Roundhouse Court, Buckshaw Link, Centurion Industrial Estate and Buckshaw Office Village. In addition, developer interest to acquire and develop for either property investment / owner occupation failed to materialise into meaningful discussions and subsequent offers.
22. The application site is approximately 0.28ha of a 7.76ha allocation (EP1.13) (of which there are 2.88ha remaining to be developed as at April 2020) and the applicant acknowledges that the proposal to erect a children's nursery on this site is not compliant with Policy EP1.3 of the Chorley Local Plan 2012 - 2026, and there is a conflict with Policy 10 of the Core Strategy. However, the applicant considers the effect to be minimal because:
- the proposed nursery would generate approximately 33 full and part time jobs which would contribute towards the principle of job creation on an employment site. The applicant considers that these jobs would come forward more quickly than the permitted class B1 use due to the growth in homeworking, although they acknowledge that fewer jobs may be generated by the nursery than class B1 use.
 - Without the approval of this application the applicant believes that the site is likely to remain vacant for an indefinite period of time. The applicant states that the permitted class B1 use has not been built due to lack of market demand, evidence of which has been provided in the marketing statement.
 - It would provide a facility on a site earmarked for development.
23. The applicant states that the 33 jobs would contribute towards employment land supply in the near future. Whilst it is accepted that the proposal would generate employment, the site itself would not be included in employment land monitoring for the borough because this only records class B1/B2/B8 and A2 uses (if permitted, it would be recorded as a reduction in size of the employment allocation). However, the marketing exercise that was carried out does indicate that employment demand for the site is limited resulting in the land remaining undeveloped and vacant over a significant period of time.
24. *b) the provision and need for the proposed use;*
25. The applicant suggests that the provision of additional childcare spaces in the area would enable employment opportunities to be taken up in the wider area by parents/carers.
26. *c) the relative suitability of the site for employment and for the alternative use;*
27. The site is allocated for employment use and has planning permission for class B1 development. The site is, therefore, clearly suitable for employment use. The applicant states that the site is in close proximity to other educational facilities and is of a suitable size to allow for outside play space and parking requirements. The applicant considers the site to

be suitable for the provision of a children's nursery being located in a sustainable location in the settlement area, with access to a large catchment. It is recognised that the locality comprises a range of different land uses and, therefore, the site is equally well suited to a variety of uses.

28. *d) the location of the site and its relationship to other uses;*
29. The applicant states that the site is in close proximity to a school and preschool, which would limit the need to travel a distance for childcare provision and to promote linked trips with other existing education establishments in the local area. The site is located in an area with a mixture of uses including residential, leisure and employment uses all adjacent to the site. A noise survey report has been advanced to identify the potential impact on residential occupiers from the proposed development. This has been verified by the Council's environmental health officer as being acceptable and is considered later in the report.
30. *e) whether the ability to accommodate smaller scale requirements would be compromised;*
31. The Employment Monitoring Report 2020 identifies 8.43ha remaining at employment allocations at Buckshaw Village: Strategic Site. These are at: EP1.11 The Revolution; EP1.12 Group 1 (mixed use allocation); and EP1.13 Southern Commercial. As of April 2020, there were 2.88ha remaining land to be developed at EP1.13.
32. *(f) there would be a net improvement in amenity;*
33. The site is currently vacant and fenced off, resulting in a sense of abandonment, however, there are no noise or anti-social behaviour issues associated with the site as it stands currently.
34. The adopted Core Strategy sets the overall employment requirement for Chorley as 112 ha to 2026. Table 2 of the Local Plan provides an employment land supply in Chorley for the period 2010 – 2026 as 100.61ha. This figure does not take into account vacant stock in the Borough. This figure includes Local Plan Policy EP1 employment site allocations amounting to 88.74ha, including EMP1.13 (Southern Commercial).
35. The range of employment sites allocated in the Local Plan provides a variety of sites in order to provide choice and to meet a range of needs and uses of different types of employer. At April 2020, 66.51 hectares of the Local Plan Policy EP1 allocations remain available for employment use, of which 9.17 hectares has planning permission for employment use. In addition, at April 2020, 5.21 hectares of non-allocated land has planning permission for employment development including 3.02 hectares at existing business and industrial areas, and 2.19 hectares outside of existing employment areas.
36. Core Strategy Indicator No.6 covers employment land take up and assesses whether there is a shortfall of employment land release of more than 20% on a 3-year average. In the last 3-year period (April 2017 – April 2020) take up should have been in the region of 20.52 hectares, however, in the event only 7.55 hectares (excludes class A2 use) has been taken up. Therefore, the shortfall is approximately 64% over the last 3 years.
37. The remaining Local Plan allocations of 66.51 hectares (April 2020) need to cover the remaining 6 years (from April 2020) that remain of the Local Plan period. This equates to 11.01 ha of land that could be available per year until 2026.
38. In the 2019/20 monitoring year 3.59 hectares of employment land was developed. It is estimated that some 31.27 hectares of land within the Borough has been developed for employment purposes between April 2010 and March 2020. This demonstrates that at current rates the available employment land is unlikely to be taken up over the plan period and as such a surplus is likely to remain. This reflects the difficulties in attracting an employment use to the application site as demonstrated in the marketing report.

39. Overall, it is considered that the development of this part of the employment allocation for a children's day care nursery would not prejudice the overall aims of the development plan and the ability to supply the employment land necessary to satisfy the identified need. It is also recognised that the site has remained undeveloped for over 20 years following the original grant of outline planning permission, and that the Framework advocates flexibility where the prospect of a site being used for the allocated employment use is in doubt.

Design and impact on the character of the area

40. Buckshaw Village is major strategic development site that has been developed over a period of around 20 years and continues to expand. It comprises a mix of development with large areas of residential and supporting community uses, large scale storage and distribution units, smaller employment units and offices, supermarkets, cafes, drinking establishments and shops. There are a range of businesses present throughout the employment and retail areas from local enterprises to national and multi-national chains.
41. It is noted that development that has occurred across Buckshaw Village is of a particularly varied character. Many of the residential dwellings have been designed to reflect a traditional design style, however, there are also examples of modern and contemporary design, whilst the buildings in commercial, industrial and community uses are of mainly contemporary, modern and functional design styles.
42. The proposal includes the erection of a simple modern building of traditional form. It would be a low level single storey building faced in red brick with a hipped roof. As such the building itself would be unobtrusive and not inconsistent with local design standards or materials. There would be some limited landscaping along the southern boundary of the site adjacent to the highway along Barnes Wallis Way, that would provide some softening of the development, appropriate to an urban area.
43. Given the range of building types in the locality and in particular the prominence of lower level commercial buildings in close proximity to the site, it is considered that the design and layout of the proposed development would be compatible with the appearance of the site and character of the area. The development is, therefore, considered to be in accordance with policy BNE1 of the Chorley Local Plan 2012 – 2026.

Impact on neighbour amenity

44. The proposed nursery building would be located on land immediately adjacent to 2 Barnes Wallis Way and the residential development of which this property forms a part of. The proposed nursery building would be located approximately 6m to the east of this nearest dwelling, and it is noted that there is a 1.8m high close boarded fence running along the western boundary of the site between the site and this adjacent housing development. The low level height and modest scale of the proposed building, combined with the degree of separation and existing screening is such that the physical impact of the proposed building itself on outlook and light would be limited, and there would be no impact on privacy.
45. The nursery building would be set close to the western boundary of the site as described, with external play areas to the north and east, away from the houses. This would have the effect of minimising the acoustic impact on the adjacent housing along Barnes Wallace Way from the sounds associated with infants playing outdoors. In order to identify the noise impacts of the proposed development the applicant has submitted an acoustic report in support of the proposal, which has been reviewed by the Council's Environmental Health Officer (EHO). The EHO considers that a suitable noise assessment has been carried out using appropriate methods and standards, which considers the likely noise levels at the nearest noise sensitive receptors, both from the proposed building and from the use of the outdoor play areas. The report concludes that noise from the proposed development is unlikely to result in any impact on the nearby residential properties and that no further noise mitigation measures are required. This assessment is accepted.
46. On the basis of the above it is considered that the proposed development would not result in unacceptable harm to the amenity and living conditions of nearby residential occupiers.

Highway safety

47. The applicant has submitted a highways technical note in support of the proposed development and to provide a summary of the transport related effects associated with a planning application for the development of land off Barnes Wallis Way, Buckshaw Village, Chorley, to deliver a children's day nursery.
48. The proposed nursery would have a maximum capacity of up to 125 children, although it is envisaged that, in practise, up to 85 children would typically be expected to be on site at any one time. This forecast of the typical number of children vs. maximum capacity is based on the applicant's experience of other facilities within its operation.
49. With regard to staffing levels at the facility, the proposals would create employment for up to 33 staff members in total. However, taking into account staff rotas and shift patterns, it is envisaged that typical daily staffing levels would result in between 20-28 persons being on site at any one time.
50. In addition to staff and parent trips to and from the facility, there would also be additional ancillary vehicle movements associated with deliveries of supplies (catering, sanitary and other equipment), refuse collection and lastly minibuses associated with daytime trips out for the children.
51. Access to the development site is proposed to be retained from the internal site access road serving the wider site, whilst an existing stub access to Barnes Wallis Way, on the southern site frontage, is proposed to be stopped up. The development proposals include for a total of 25no. car parking spaces at the site. It is proposed that two accessible parking spaces are provided immediately to the nursery building frontage. This level of parking is considered to be broadly in accordance with the parking standards set out in the Chorley Local Plan 2012 - 2026, which sets a requirement of 1 space per staff member, which relates to those staff on site at any one time.
52. In terms of cycle parking provision, 3 "Sheffield Hoop" style cycle stands are proposed to be provided at the building frontage, thereby providing parking for up to 6 cycles at the nursery. In order to provide an attractive proposition to users it is considered that the cycle stands should be covered and, therefore, it is recommended that further details of a covered stand are required by condition unless received prior to determination of the application.
53. The highways technical note demonstrates that the site is in a highly sustainable location for a children's day nursery in this area. The site is located in a well established residential and commercial area, within a reasonable walking distance of the railway station and bus stops providing public transport connections, and is surrounded by good quality walking and cycling infrastructure providing access to residential areas, transport connections, and local business and amenities. These factors reduce the need for staff and visitors at the site to utilise the car for everyday journeys, particularly commuting journeys. Such positive locational characteristics assist in meeting the key sustainable planning objectives of promoting opportunities for the use of alternative travel modes to the private car and managing the overall traffic impact associated with new development.
54. Lancashire County Council (LCC) as the Local Highway Authority (LHA) is responsible for providing and maintaining a safe and reliable highway network. Comments of the LHA will be reported on the addendum.

Other matters

55. No need for further nursery provision in this area: It is not necessary to justify the proposed development on the basis of need or demand.
56. Impact of new nurseries on existing provision: It is not the role of the planning system to manage competition in the market place and, therefore, this is not a material planning consideration.

57. Loss of employment at other nurseries if a new nursery opens on this site: It is not the role of the planning system to manage competition in the market place and, therefore, this is not a material planning consideration.

CONCLUSION

58. The proposed development would have the benefit of providing employment and child care provision on a previously developed site in a sustainable location with good accessibility, whilst having only a very limited impact on the long term supply to available employment land. The proposal would have no unacceptable detrimental impact on the amenity of neighbouring occupiers and would result in an overall improvement in the appearance of the site and character of the area. In addition, there would be no unacceptable impact on highway safety. On the basis of the above, it is considered that the proposed development is in line with the development plan when considered as a whole and the thread of sustainable development that runs through it. It is therefore recommended that planning permission be granted.

RELEVANT HISTORY OF THE SITE

Ref: 17/00764/FULMAJ **Decision:** PERFPP **Decision Date:** 7 March 2018
Description: Erection of a building comprising three business units (Class B1) and a restaurant takeaway with drive-thru including car parking, access, landscaping and associated works.

Ref: 18/00811/DIS **Decision:** PEDISZ **Decision Date:** 25 September 2018
Description: Application to discharge conditions 11 (levels), 14 (construction method statement) and 18 (drainage scheme) attached to planning permission 17/00764/FULMAJ for the erection of a building comprising three business units (Class B1) and a restaurant takeaway with drive-thru including car parking, access, landscaping and associated works.

Ref: 19/00084/ADV **Decision:** PERADV **Decision Date:** 1 April 2019
Description: Application for advertisement consent for the display of 23no. illuminated and non-illuminated site and building signs.

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

To follow