

APPLICATION REPORT – 21/00745/FULMAJ

Validation Date: 14 June 2021

Ward: Coppull

Type of Application: Major Full Planning

Proposal: Erection of building comprising 7no. apartments (affordable homes) with associated communal open space, car parking spaces, vehicular manoeuvring space, bin and cycle stores, and hard and soft landscaping (including means of enclosure), and the creation of 10no. replacement car parking spaces to serve the public house

Location: Alison Arms 279 Preston Road Coppull Chorley PR7 5DU

Case Officer: Mr Iain Crossland

Applicant: Shape Land And Property

Agent: Richard Gee, Roman Summer Associates Ltd

Consultation expiry: 26 November 2021

Decision due by: 13 September 2021

RECOMMENDATION

1. It is recommended that planning permission is granted subject to conditions and a Section 106 agreement.

SITE DESCRIPTION

2. The application site is located in the Green Belt south of Coppull and is occupied by the Alison Arms public house and associated car park, which front onto Preston Road (A49) south of Glover Road. The public house building is long established and has been extended over time. It is of traditional design faced in painted render with extensions faced in red brick. The car park is situated to the south side and has direct access to Preston Road with a grassed area to the rear, whilst there is a grassed area to the north side of the building.
3. The application site forms part of a linear development that spans the A49 extending southwards from Coppull. To the north of the application site there is a terrace of dwellings in a simple traditional design style, with detached and semi detached bungalows beyond and two storey dwellings beyond this. These dwellings are garden fronted and set back from the highway. To the south is a small commercial warehouse building with a primary school and dwellings beyond this. Opposite the site to the west are dwellings and commercial properties of traditional design, whilst there is open agricultural land to the rear.

DESCRIPTION OF PROPOSED DEVELOPMENT

4. The application seeks planning permission for the erection of a building comprising 7no. apartments, which would be provided as affordable homes with associated communal open space, car parking spaces, vehicular manoeuvring space, bin and cycle stores, and hard and soft landscaping (including means of enclosure). The creation of 10no. replacement car parking spaces to serve the public house would take place to the north side of the public house and would be accessed from Glover Road.

5. The proposed apartment building and associated car parking and landscaping would be positioned to the south of the public house within the location of the existing car park. This would comprise a two storey building of traditional design resembling a terrace of dwellings. It would face the highway in line with the public house and would have some landscaping between it and the highway. There would be a flyover to the north end, which would allow for vehicular access from Preston Road to the car park, which would be situated to the rear along with a communal garden area. No development is proposed to the public house itself.
6. It is noted that the proposal has been amended since the application was originally submitted and has been reduced from an initial development proposal comprising 10no. apartments over two buildings.

REPRESENTATIONS

7. Representations have been received from the occupiers of 2no. addresses citing the following grounds of objection:
 - Lack of parking for the public house and apartments and resultant highway safety issues.
 - Lack of capacity at local primary school.
8. A joint signed letter has also been received from residents of Glover Road citing the following grounds of objection:
 - Increased level of parking from customers to the public house.
 - A reduced level of on street parking availability on Glover Road for residents.
 - Highway safety impact on children and residents from intoxicated customers to the public house.
 - The development would be out of character with the surrounding area.

CONSULTATIONS

9. Coppull Parish Council: Have remained neutral as the development conforms with building regulations.
10. The Coal Authority: Have no objection subject to conditions.
11. Greater Manchester Ecology Unit: Recommend conditions.
12. Waste & Contaminated Land: Have no objection subject to a condition.
13. Lancashire County Council Highway Services (LCC Highway Services): Have no objection subject to conditions.
14. Lead Local Flood Authority: Have no objection subject to conditions, including for the provision of final details of a surface water sustainable drainage strategy.
15. United Utilities: Recommend conditions including the submission of a surface water drainage scheme.
16. Lancashire County Council Education: Have advised that an education contribution is not required at this stage in regards to this development.

PLANNING CONSIDERATIONS

Principle of development in the Green Belt

17. The application site is located in the Green Belt at Coppull and forms a gap occupied by a car park within a tract of development extending south from the settlement area.
18. National guidance on Green Belt is contained in Chapter 13 of the National Planning Policy Framework (the Framework) which states:

137. *The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.*

138. *Green Belt serves five purposes:*

- a) *to check the unrestricted sprawl of large built-up areas;*
- b) *to prevent neighbouring towns merging into one another;*
- c) *to assist in safeguarding the countryside from encroachment;*
- d) *to preserve the setting and special character of historic towns; and*
- e) *to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

147. *Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.*

148. *When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.*

149. *A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are:*

- a. *buildings for agriculture and forestry;*
- b. *the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;*
- c. *the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
- d. *the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- e. *limited infilling in villages;*
- f. *limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and*
- g. *limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:*
 - *not have a greater impact on the openness of the Green Belt than the existing development; or*
 - *not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.*

19. This part of Coppull is not specified as an area for growth within Core Strategy policy 1 and falls to be considered as an 'other place'. Criterion (f) of Core Strategy policy 1 reads as follows: "In other places – smaller villages, substantially built up frontages and Major Developed Sites – development will typically be small scale and limited to appropriate infilling, conversion of buildings and proposals to meet local need, unless there are exceptional reasons for larger scale redevelopment schemes." The proposed development would be small in scale and would infill within an area of ribbon development.

20. Policy BNE5 of Chorley Local Plan 2012 – 2016 relates to previously developed land within the Green Belt and reflects guidance contained within the Framework as follows:
The reuse, infilling or redevelopment of previously developed sites in the Green Belt, will be permitted providing the following criteria are met:
In the case of re-use

- a. *The proposal does not have a materially greater impact than the existing use on the openness of the Green Belt and the purposes of including land in it;*

- b. *The development respects the character of the landscape and has regard to the need to integrate the development with its surroundings, and will not be of significant detriment to features of historical or ecological importance.*

In the case of infill:

c) *The proposal does not lead to a major increase in the developed portion of the site, resulting in a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.*

In the case of redevelopment:

d) *The appearance of the site as a whole is maintained or enhanced and that all proposals, including those for partial redevelopment, are put forward in the context of a comprehensive plan for the site as a whole.*

21. The proposal involves the redevelopment of a site that is occupied by an area of hardstanding comprising a car park. As such the site is previously developed land and the development is, therefore, capable of complying with paragraph 149.g) of the Framework. This sets out that one exception to inappropriate development in the Green Belt is limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.
22. Whilst the test for sites such as this relates to the impact on openness it is important to note that the Framework contains no specific definition of 'openness' and any such development should seek to avoid substantial harm to openness where the development would meet an identified affordable housing need within the area of the local planning authority. There is an identified affordable housing need within the borough of Chorley, which is the area of the local planning authority and the proposed development would contribute towards meeting this need through the provision of 7no. affordable housing units.
23. In consideration of whether the proposal would result in substantial harm to the openness of the Green Belt this is an open-textured assessment and there is no check list to be gone through but, where openness of the Green Belt is in issue, visual impact, as well as spatial impact, requires consideration, subject to a margin of appreciation.
24. It is acknowledged that the site is located within an established tract of development extending to the south of Coppull with the public house and residential development to the north and a commercial building and school to the south. These are buildings of two storey scale and the gap in the built form is relatively modest at approximately 35m. The development would, therefore, be viewed in the context of the existing building on the site and those that are either side of the site.
25. The site is prominent when viewed from the A49 as it forms part of the streetscene along this section of the highway. However, given that unbroken development extends all the way south from the settlement area of Coppull to beyond the application site this results in an urbanised character that compromises openness and prevents open views along the east side of this highway. As a result it is considered that development would be anticipated in this position of the site as part of the line of development along the A49 in this location. This would result in a logical infilling of the site that would be screened on approach from the north or south by the buildings and development either side of the site. The visual impact on openness would be limited by the positioning of the buildings within the site between buildings and close to other buildings of similar scale.
26. The proposed development has been designed to reflect the linear form of development along the A49. The scale, siting and form of the development is based on a traditional terraced housing approach and in particular reflects the form and scale of the terrace to the north at 263 to 273 Preston Road.
27. The proposed development would be well contained within an established line of development and street frontage and would not result in any encroachment beyond the

boundaries of the established previously developed site. As such it is considered that there would be less than substantial harm to the openness of the Green Belt as a result of the proposed development. The proposed development would not, therefore, comprise development that would be considered inappropriate in the Green Belt and meets with the exception set out at paragraph 149.g) of the Framework and policy BNE5 of the Chorley Local Plan 2012 - 2026.

Impact on character and appearance of locality

28. Policy BNE1 of the Chorley Local Plan 2012 – 2026 states that planning permission will be granted for new development provided that the proposal does not have a significantly 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.
29. The application site is located within a frontage along the A49 and as such is highly prominent along this part of the highway. The site is currently occupied by a surfaced car park but is within a line of development containing a public house of traditional appearance faced in painted render and brick, with red brick terraces and other dwellings beyond this to the north. There is a steel shed commercial unit to the south and a red brick primary school of traditional design beyond this further to the south. Opposite are red brick buildings of traditional design style.
30. The proposed development includes a single two storey building comprising 7no. apartments that would have the form and scale of a simple terraced row. The building would have front doors facing onto the highway separated from it by small areas of landscaping. There would be front gable features at each end of the building, which would be faced largely in red brick and there would be feature cills and brick courses providing some details of interest. The building would be positioned parallel to the highway reflecting the predominant form of development along Preston Road, and would provide an active street frontage with the highway.
31. Parking would be located to the rear away from the main highway, which would enable a better interaction between the development and the streetscene along the A49, which is the main visual receptor. Having the parking located to the rear also eliminates the visual clutter of vehicles caused by frontage parking and the current use of the land as a car park. This would result in a positive contribution to the streetscene over and above the existing situation.
32. Overall, it is considered that the proposed development would result in a harmonious addition to the streetscene along this part of the A49, would be an appropriate design response to the site and character of the locality and overall would contribute positively to the character of the area. This complies with policy BNE1 of the Chorley Local Plan 2012 - 2026.

Neighbour amenity

33. Policy BNE1 of the Chorley Local Plan 2012-2026 states that new development must not cause harm to any neighbouring property by virtue of overlooking, overshadowing, or by creating an overbearing impact.
34. The proposed building would be located approximately 20m from the nearest dwelling, which is at no.270 Preston Road on the opposite side of the highway. The building would be directly opposite this property being positioned slightly further to the south and would not have any adverse impact on light, outlook or privacy by virtue of the relative positioning scale and degree of separation.
35. The dwelling at Willow Cottage would be located approximately 34m away on the opposite side of Preston Road, and is positioned at an angle relative to the site. As such there would be no adverse impact on the amenity of the occupiers of this dwelling.
36. The dwellings at Glover Road would be largely screened from the proposed building by the Alison Arms public house and are some distance from the proposed siting in an any event.

As such the building itself would have no impact on the amenity of the occupiers of these properties. On this basis the proposed dwellings meet with the Council's adopted interface standards and would have no adverse impact on amenity in this regard.

37. Policy BNE1 of the Chorley Local Plan 2012-2026 also states that new development must not cause an unacceptable degree of noise disturbance to surrounding land uses.
38. It is noted that Glover Road is a residential no through road of 6no. addresses, whilst there is an end terrace at no.273 Preston Road on the opposite side of Glover Road to the Alison Arms. As such vehicle movements are currently low. It is proposed that 10no. vehicular parking spaces would be added to the north side of the Alison Arms public house, to partially offset the redevelopment of the car park. These would be accessed via the existing highway at Glover Road. The parking spaces would not face the properties at Glover Road and would only face the side of no.273 Preston Road. Furthermore, vehicles would not need to pass any of the houses along Glover Road when entering from Preston Road, as these properties lie further to the east.
39. Given that there would only be 10no. parking spaces the amount of traffic passing along the road would be limited and any associated speeds would be low. As such it is considered that the level of noise and disturbance would be limited and not harmful to amenity, particularly so as vehicles would not need to pass properties on Glover Road, whilst the amenity of occupiers at no.273 Preston Road is already impacted up by the proximity of this property to the A49.

Highway safety

40. Policy BNE1 of The Chorley Local Plan 2012 – 2026 states that planning permission will be granted for new development provided that, 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 to below the standards stated in Site Allocations Policy – Parking Standards, unless there are other material considerations which justify the reduction.
41. The proposed development would result in 7no. dwellings comprising 6no. one bedroomed apartments and 1no. two bedroomed apartment. This would result in a requirement for 8no. parking spaces. In this case 11no. spaces would be provided within a courtyard parking area at the rear of the site. This complies with the parking standards specified in policy ST4 of the Chorley Local Plan 2012 – 2026.
42. Although the car park serving the public house would be redeveloped 17no. spaces would remain for customers and staff of the Alison Arms. It is noted that the provision of the 10no. parking spaces to be accessed from Glover Road would prevent parking on the south side of Glover Road for a distance of approximately 24m. This is equivalent to approximately 4no. on street parking spaces. On street parking would, however, remain along the remainder of Glover Road, including both sides of the highway opposite the houses on the north side of Glover Road and the north side of Glover Road opposite the public house. LCC Highway Services have considered the parking levels to be provided serving the public house and consider these to be reasonable and raise no objection. Nor is any objection raised in relation to the loss of 4no. on street parking spaces. Furthermore, the availability of on street car parking is a benefit, which cannot be guaranteed and as such cannot be protected in relation to an application for planning permission.
43. LCC Highway Services do not have any objections to the proposed development, replacement car parking and modified access and are of the opinion the proposed development will not have a detrimental impact on highway safety, capacity or amenity in the immediate vicinity of the site.

Ecology

44. Policy BNE9 of the Chorley Local Plan 2012-2026 sets out how development should safeguard biodiversity. Any adverse impacts on biodiversity should be avoided, and if unavoidable should be reduced or appropriately mitigated and/or compensated.

45. The application is accompanied by an ecology assessment of the site, including a bat survey. This has been reviewed by the Council's ecology advisors (Greater Manchester Ecology Unit), who consider that the Report appears to have used reasonable effort to survey the habitats on site and make an assessment of their suitability to support protected/species of principal importance (Section 41, NERC 2006 [Natural Environment & Rural Communities Act]).
46. The survey was conducted in March 2020 which the Report recognises as suboptimal for the majority of surveys and is now over 18 months ago. However, given the nature and size of the proposal this is not considered to be a constraint on the assessment and does not invalidate its findings. There is currently no need to submit updated information.
47. The Report concluded that adjacent to the site is a building of high value to bat roosting and the building is within the edge red, however, no redevelopment of this building is proposed. It is concluded that the Site's habitats are of only limited value to biodiversity, and there is currently no known reason to contradict the findings of the Report. The application can, therefore, be forwarded to determination in respect of biodiversity without the need for any further work.
48. It is recommended that in order to comply with planning policy a number of conditions and informatives should be attached to any grant of planning permission. These relate to tree protection of any retained hedgerows, protection of breeding birds and appropriate landscaping.
49. No landscape specifications have been provided at this stage, however, the Proposed Site Plan (Studio RBA, RBA_215_(2)_A004 rev P02) indicates gapping and increased density of planting to the boundaries. This does not give planting details, which should be locally native species and it is recommended that full landscaping detail is secured via condition. The Report makes sparse recommendations in respect of biodiversity enhancement as guided by the NPPF (February 2019, paragraph 175 d) with neither proposals for enhancement (eg bird and bat boxes) or net gain. It is recommended that such enhancements are also secured by conditioned on any permission if granted.

Flood risk and drainage

50. The application site is not located in an area that is at risk of flooding from pluvial or fluvial sources, according to Environment Agency mapping data. In accordance with the Framework and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.
51. The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. As such the developer should consider the following drainage options in the following order of priority:
 - into the ground (infiltration);
 - to a surface water body;
 - to a surface water sewer, highway drain, or another drainage system;
 - to a combined sewer.
52. It is recommended that a condition be attached to any grant of planning permission requiring the submission of full details of a surface water drainage scheme for the site that has been designed in consideration and in accordance with the surface water drainage hierarchy outlined above.

Public open space (POS)

53. Policy HS4 of the Chorley Local Plan 2012 – 2026 requires public open space contributions for new dwellings to be provided in order to overcome the harm of developments being implemented without facilities being provided.
54. Until recently the National Planning Practice Guidance (NPPG) previously set out a threshold for tariff-style contributions, stating that planning obligations should not be sought

from developments of 10 or less dwellings and which have a maximum combined floorspace of no more than 1000 square metres. This guidance has been removed from the latest NPPG and has been replaced with a requirement that planning obligations for affordable housing should only be sought for residential developments that are major developments.

55. Specifically the guidance was derived from the order of the Court of Appeal dated 13 May 2016, which gave legal effect to the policy set out in the Written Ministerial Statement of 28 November 2014 which has not been withdrawn and which should, therefore, clearly still be taken into account as a material consideration in the assessment of planning applications.
56. To this end whilst it would normally be inappropriate to require any affordable housing or social infrastructure contributions on sites below the thresholds stated, local circumstances may justify lower (or no) thresholds as an exception to the national policy. It would then be a matter for the decision-maker to decide how much weight to give to lower thresholds justified by local circumstances.
57. Consequently, the Council must determine what lower thresholds are appropriate based on local circumstances as an exception to national policies and how much weight to give to the benefit of requiring a payment for 10, or fewer, dwellings. The Council has agreed to only seek contributions towards provision for children/young people on developments of 10 dwellings or less.
58. There is currently a surplus of provision in Chisnall in relation to this standard and the site is within the accessibility catchment (800m) of an area of provision for children/young people. A contribution towards new provision in the ward is, therefore, not required from this development. However, there are areas of provision for children/young people within the accessibility catchment that are identified as being low quality and/or low value in the Open Space Study (site 1472 Play area opposite 14 Manor Way, Coppull). A contribution towards improvements to these sites is therefore required from this development. The amount required is £134 per dwelling.

Community Infrastructure Levy

59. 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 would be a chargeable development and the charge is subject to indexation in accordance with the Council's Charging Schedule.

Other matters

60. *Lack of capacity at local primary school:* The application is largely for one bedroomed apartments and LCC Education Services have confirmed that no contribution to schools places is required from this development.
61. *Highway safety impact on children and residents from intoxicated customers to the public house:* Driving a vehicle under the influence of alcohol is contrary to laws outside of the jurisdiction of the Local Planning Authority and is not a factor that can be considered in the determination of the application.

CONCLUSION

62. The proposed development would not represent inappropriate development in the Green Belt. Nor would it harm the character of the area or the amenity of neighbouring occupiers and there would be no unacceptable impact on highway safety or ecology. The proposed development is, therefore, considered to be acceptable and as such is recommended for approval subject to conditions and a S106 agreement.

RELEVANT HISTORY OF THE SITE

Ref: 02/00393/FUL **Decision:** PERFPF **Decision Date:** 18 June 2002
Description: Single storey extension to rear of public house to form new pool room

Ref: 06/00944/FUL **Decision:** PERFPP **Decision Date:** 24 October 2006
Description: Single storey side extension

Ref: 07/01025/FUL **Decision:** REFFPP **Decision Date:** 29 October 2007
Description: Proposed conservatory to the side elevation

Ref: 08/00005/FUL **Decision:** REFFPP **Decision Date:** 25 February 2008
Description: Conservatory extension to the side elevation

Ref: 90/00827/FUL **Decision:** PERFPP **Decision Date:** 6 November 1990
Description: Use of car park for car boot sales on Sundays during the summer months

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