# **APPLICATION REPORT – 22/01080/FULMAJ**

Validation Date: 2 November 2022

Ward: Chorley North And Astley

Type of Application: Major Full Planning

Proposal: Erection of podium to provide decked car park (163no. spaces for cars / 9no. for motorcycle / 25no. for cycle), helipad and hangar, multi-purpose sports hall, access and internal circulation, landscaping and ancillary works

Location: Canal Mill Botany Bay Chorley

**Case Officer: Mr Iain Crossland** 

Applicant: FI Real Estate Management Ltd

Agent: Mr John Francis Plan Red Ltd

**Consultation expiry: 6 April 2023** 

Decision due by: 15 June 2023 (Extension of time requested)

# RECOMMENDATION

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

# SITE DESCRIPTION

- 2. The application site comprises Canal Mill at Botany Bay and the associated parking and manoeuvring areas that surround it. The site is located to the immediate east of the M61 motorway, due east of Junction 8, and in the settlement area of Chorley. It is lies between the motorway and the Leeds and Liverpool canal and south of the roundabout on A674, which provides the main vehicular access into the site. To the north is the A674 and beyond this undeveloped land currently used for agriculture. Beyond the canal to the east is agricultural land rising towards the east and Blackburn Road/Blackburn Brow and Great Knowley. The western boundary of the site is clearly defined by the edge of highway land associated with the M61 Motorway. Beyond the motorway is the eastern fringes of the main developed conurbation of Chorley (industrial estate and residential estates). To the south are other parts of the main developed conurbation of Chorley. There are no dwellings close to the site, which has an industrial character, whilst it is noted that there are long range views of the site from higher land to the east.
- 3. The mill itself comprises five levels of accommodation (ground to fourth floor) and is partially in use as the offices and headquarters of FI Real Estate Management Ltd (FIREM). It is typical of many mid nineteenth century Victorian Mills in Lancashire and is faced in red brick with stone dressings. The mill is not statutorily listed nor is it on a local list. Nevertheless, it is local landmark and prominent feature of the landscape.
- It is noted that a hybrid planning application for an industrial business park (ref no. 21/00439/FULMAJ) was approved in January 2023. This excludes but wraps around Botany Bay Mill and its immediate site. Details of this development are as follows:
  - The development will be accessed off the current access road serving wider Botany Bay site

- 10 blocks of development (Blocks A J) which will accommodate 33 individual units
- Total floorspace is 37,661 sqm (GIA) contained in Blocks A J
- 36,996 sqm (GIA) of employment floorspace contained in Blocks C J
- 665 sqm (GIA) of commercial floorspace contained in Blocks A B
- Block A is for use as Class E (retail or food and drink) and/or sui-generis (fast food
- takeaway)
- Block B is for commercial uses covered under Class E (retail and food and drink uses)
- Blocks C J are for employment uses in the form of Class E (light industry only), Use
- Class B2 (general industry) and Use Class B8 (warehousing)
- 5. It is noted that the existing helipad has been in situ for some time now and in a report from an application for a hanger in 2003 (ref. 03/00895/FUL) this stated that the site has been used by a helicopter for over 10 years and that the use was lawful through the passage of time.

# DESCRIPTION OF PROPOSED DEVELOPMENT

- 6. This application seeks planning permission for the erection of a podium to provide a decked car park over four levels to provide a total of 163no. spaces for cars, 9no. for motorcycle and 25no. for cycles, helipad and hangar, multi-purpose sports hall, a function room and terrace area, access and internal circulation, landscaping and ancillary works. The concept behind the proposed car park was to replace the parking that would be lost as a result of the industrial business park to be developed either side of the mill and to support the continued operation of the offices and headquarters of FIREM from the mill building.
- 7. The proposed helipad would facilitate the landing and taking off of the company helicopter, whilst the hangar would enable it to be stored under cover. The multi-use space is proposed at the same level as the hanger, which would extend the full depth of the podium deck. It is separated from the hangar by the changing/ancillary facilities and vertical circulation core. The multi-use space be used by FIREM employees to participate in exercise classes, team bonding sessions and sport, to promote health and wellbeing. The facilities would be for FIREM use only and not open for public use.
- 8. It is noted that it is the intention of the applicant to convert the ground to third floors of the Mill to self-storage use and to use the top floor for offices with an atrium inserted and a two storey roof extension above for further office use. Although the proposed development has been designed in preparation for these conversion and extension works, they do not form part of this planning application and are currently under assessment as part of a separate application (ref. 23/00164/FULMAJ).

# REPRESENTATIONS

- 9. Two representations have been received citing the following grounds of objection:
  - Increased traffic and road safety impacts
  - Road safety impacts on the motorway from helicopter flights
  - Noise and disturbance from traffic and sports events
  - Impact of lighting on residential amenity and wildlife
  - Air quality impacts from helicopter and vehicles
  - No need for a sports facility
  - The development should be on a brownfield site, no need for greenfield development of this type.

# CONSULTATIONS

10. Greater Manchester Ecology Unit: Have no objections subject to conditions.

- 11. Regulatory Services Environmental Health: Have no objection subject to conditions.
- 12. Waste & Contaminated Land: Have confirmed that they have no comments to make.
- 13. Lancashire County Council Highway Services: Final comments to follow.
- 14. Lead Local Flood Authority: Have no objection subject to conditions.
- 15. Environment Agency: Have no objection subject to condition.
- 16. National Air Traffic Services: Have no safeguarding objection to the proposal.
- 17. United Utilities: Have no objection subject to condition.
- 18. National Highways: Have no objection and recommend that conditions should be attached to any planning permission that may be granted.
- 19. Canal & River Trust: Have no objection subject to conditions.

# PLANNING CONSIDERATIONS

## Principle of development

- 20. The National Planning Policy Framework (the Framework) sets out 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.
- 21. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

a. an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b. a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c. an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

- 22. At the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).
- 23. For decision-taking this means: approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
  - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

- 24. Paragraph 81 of the Framework covers Building a Strong Competitive Economy and states that planning policies and decisions should help 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.
- 25. It is noted that policy 1(b) of the Central Lancashire Core Strategy, seeks to encourage growth and investment in the key service centre of Chorley Town focussing on the regeneration of the Town Centre\*(as defined by Policy 11) but with some greenfield development.
- 26. The Chorley Local Plan 2012-2026 allocates specific sites for development or protection in accordance with the policies and general locations for development as set out in the Central Lancashire Core Strategy 2012. The Local Plan meets Chorley's development needs to 2026 and includes policies to either protect sites or guide the way they are developed.
- 27. The application site is located within the settlement boundary of Chorley, as defined by policy V2 of the Local Plan. Within the settlement areas excluded from the Green Belt, and identified on the Policies Map, there is a presumption in favour of appropriate sustainable development, subject to material planning considerations and the other policies and proposals within the Plan.
- 28. Policy EP1 of the Chorley Local Plan 2012 2026 sets out the approach to employment allocations. The application site is covered by allocation EP1.2 Botany Bay, which is identified as an employment site for sub-regionally significant development. This means that the site is allocated and protected for uses falling under Use Classes B1 (now within use class E), B2 and B8, with some allowance for C1 to allow for a hotel. The main element of the development proposes a decked car park over four levels to provide a total of 163no. spaces for cars, 9no. for motorcycle and 25no. for cycles, whilst there would also be a helipad and hangar, multi-purpose sports hall, a function room and terrace area all contained within a single structure. The proposal itself has been designed to provide infrastructure and ancillary facilities that would support the office operations that are based at the mill and to provide capacity for the continued operation of the offices and headquarters of FIREM from the mill building accounting for planned development including the conversion for self storage and offices.
- 29. The proposed development provides infrastructure to support the employment use functions based at the mill and, therefore, effectively falls within the same use. This supports the identified uses set out in policy EP1 of the Chorley Local Plan 2012-2026, and is therefore considered acceptable in principle.
- 30. The Chorley Local Plan 2012-2026 policy EP3 provides guidance for the development of new business development. This policy sets out a number of criteria to be satisfied by such proposals. The most relevant criteria to this proposal are set out and assessed as follows:
- a) they are of a scale and character that is commensurate with the size of the settlement;
- 31. The proposed development is a large structure that would in effect form an extension of the mill building to the north east side. It would be of significant mass having a footprint greater than that of the mill building, though the width would be less. The structure would be stepped in height, and whilst the tallest part of the structure would be the same height as the mill the majority of the structure would be lower in height. This would help to reduce the mass and the overall scale is reflective of the mill building itself. The building would reflect the scale of industrial buildings at the nearby Chorley North Industrial Estate located on the opposite side of the M61 motorway, whilst it must be noted that there is an extant planning permission comprising large industrial warehouse units that would be set either side of the development is of a modern angular design style that would be juxtaposed to the traditional design style of the mill. A textured finish would be achieved using vertical fins, whilst the

use of rustic metal work would provide an industrial character that would complement the design style of the mill building. This is an appropriate design response to the site and its surroundings given the significant level of development envisaged the recent planning permission for the development of the wider site and the Local Plan allocation and in consideration of the location of the site close to a motorway junction.

## b) the site is planned and laid out on a comprehensive basis;

- 32. The proposed development would fit within the context of a previously approved industrial business park development, and has been designed in consideration of the retained mill building. The development would make effective use of the available site area and would support the operation of the mill building as offices and storage. Although the works to the Canal Mill building would not form part of the proposed development at this time, there is a clear intention to retain the mill for employment uses comprising offices and storage.
- c) the site will not prejudice future, or current economic activities within nearby areas;
- 33. There is no evidence to suggest that the proposed development would prejudice future, or current economic activities within nearby areas and the site is allocated for the use proposed, therefore, the development seeks to fulfil the planned development for the area;
- d) the proposal will not cause unacceptable harm e.g. noise, smells to surrounding uses;
- 34. It is noted that there is currently a range of noise generating sources around the site, most notably traffic passing along the M61 motorway to the west, whilst the nearest residential properties to the site are over 250m to the east at Blackburn Road, and over 150m to the south at Clayburn Close on the opposite side of the motorway. A noise report and air quality assessment have been submitted in support of the proposed development, which have been considered by the Council's Environmental Health Officer (EHO).
- 35. As part of the application a multi-storey car park is proposed for use solely by FI REM office staff and, therefore, noise from peak vehicle movements as well as the quiet daytime period have been assessed. Associated off-site road traffic noise impacts are expected to be negligible, as no additional traffic would be generated by the proposed car park itself. This is a supporting facility that would replace existing surface level parking.
- 36. The noise assessment has been carried out to determine the potential noise impact of the operation of the proposed multi-storey car park on existing and future local residents based on the results of a baseline sound level survey and sound propagation modelling carried out in accordance with current guidance and best practice.
- 37. The assessment concluded that the proposed car park development, and proposed development as a whole, would have 'No Effect' at either existing or proposed residential dwellings. This is primarily due to the existing high ambient and background sound levels due to road traffic on the M61 Motorway to the west. The Council's EHO agrees with the findings of the report and considers that the distance between the development and existing properties is such that the development would not impact on the amenity of nearby residents through noise.
- 38. Notwithstanding this, the council's EHO has identified that the proposed site plan shows a hatched area labelled as HGV deliveries. It is unclear what the nature and frequency of these deliveries are. However, HGVs are inherently noisier than cars and smaller vehicles and deliveries are usually associated with other noise such as reversing alarms, roller shutter door noise, bangs and clangs from trolleys or pump trucks. Such noise would be more noticeable at night time when background noise levels are reduced, and by their nature and unpredictability can cause disturbance to sleep. Therefore, it is recommended that a restriction is attached to any grant of planning permission that allows deliveries to take place during daytime hours only.

- 39. The application details a multi-use space, which would have an associated function room. Whilst the application specifies that this area would not be open to the public there is little other detail provided regarding the intentions of this space. There are concerns about the way in which the function room could be used in future, and may involve being used on a regular basis for live music events including live bands. Without a supporting noise assessment, which takes into account the sound insulating properties of the building shell or later down the line it being used as a publicly accessible function room, it is recommended that conditions are attached to any grant of planning permission requiring that no amplified live music be permitted in the multi-use space or associated function room at any time and that the multi-use space and associated function room shall be for private use ancillary to the office use and shall not be available for public use at any time.
- 40. The application details a helipad use, which the site has an existing lawful use for. The application suggests that there will be no distinguishable increase in use / flights. It is noted that the EHO has concerns about the noise impact from regular use by helicopters landing and taking off upon the amenity of nearby residents and recommends a condition controlling hours of use to protect those noise sensitive receptors, which is a mitigation measure proposed by the applicant. It is, therefore, recommended that a condition is attached to any grant of planning permission limiting operations to avoid unsociable hours.
- 41. The air quality assessment that has been submitted identifies that the development is not located within an Air Quality Management Area (AQMA), with the nearest AQMA located in Leyland, approximately 5 km north west of the proposed development and has been declared for exceedances of the annual average Nitrogen Dioxide (NO2) concentrations of 40µg/m<sup>3</sup>.
- 42. The nearest monitoring location to the development with data available is located 360m north of the development site boundary, on Blackburn Road, and recorded an annual mean concentration of 23.8µg/m3 NO2 in 2021.
- 43. An air quality assessment has been prepared to determine the significance of air quality impacts during the construction and operational phases of the proposed development.
- 44. A qualitative assessment of impacts of construction activities upon air quality was undertaken following the Institute of Air Quality Management (IAQM) guidance methodology. A qualitative assessment of from the impact of road traffic emissions on air quality was undertaken using screening criteria contained within relevant best practice guidance.
- 45. The main findings of the air quality assessment are summarised as follows:
- 46. Following the construction dust assessment the development site is found, in relation to dust soiling to be medium risk for earthworks, demolition, construction and trackout activities. In regards to human health impacts, there is a low risk for demolition, earthworks, construction and trackout activities.
- 47. Providing effective mitigation measures are implemented, such as those outlined in Section 6 of this report, impacts from dust emissions during the construction phase would be not significant.
- 48. In accordance with EPUK/IAQM guidance, the impacts of the development on short-term and annual mean NO2, PM10 and PM2.5 concentrations at all the existing receptors are considered to be not significant.
- 49. The operational impacts of the development on air quality would be negligible in consideration of the existing circumstances of the site, however, given that there would be a 'Medium' risk for dust during construction it is recommended that robust mitigation is put in place to control dust generation during the construction phase, and it is recommended that a Dust Management Plan is required by condition.

50. It is also recommended that conditions relating to the hours of construction, lighting details and storage of chemicals are attached to any grant of planning permission in order to safeguard the amenity of nearby residents.

# e) the site has an adequate access that would not create a traffic hazard or have an undue environmental impact;

51. Access would be taken utilising the existing access to the site, which connects with an existing roundabout to the north east of the site. This distributor road provides direct access to the national motorway network, at junction 8 of the M61. The acceptability of the highway impacts have been assessed by both Lancashire County Council and National Highways and are set out in detail later in the report.

# *f) the proposal will be served by public transport and provide pedestrian and cycle links to adjacent areas;*

- 52. The closest existing bus stops are to the south of the site, on the B6228 Blackburn Brow. Although the distance to the stops from the site is approximately 500m, these stops provide hourly services, linking Chorley to wider Lancashire. This distance is above maximum standards and is not conducive to supporting the use of public transport. However, the proposed development would not of itself generate trips to the site as it is intended as supporting infrastructure to the office and storage uses based at the mill.
- 53. The pedestrian and cycle networks in the vicinity of the site are relatively good and provide opportunities for encouraging sustainable access to the site. The proposal includes dedicated secure cycle storage and changing facilities to support cycle use.
- g) open storage areas should be designed to minimise visual intrusion;
- 54. No open storage areas are proposed and is it recommended that outdoor storage be restricted by condition.

*h)* adequate screening is provided where necessary to any unsightly feature of the development and security fencing is located to the internal edge of any perimeter landscaping;

- 55. It is not considered that the development would result in any particularly unsightly elements as it has been designed with a degree of interest including a textured material finish using high quality materials, and would be within the context of an industrial business park being positioned at its centre. The development would be largely screened by the existing mill building from the motorway to the west, whilst only limited security fencing is required controlling access to the rear. This fencing would be set back some distance from the highway serving the development and would have limited impact on the appearance of the site. Nevertheless, full details should be required by condition and it is recommended that an appropriate condition is attached to any grant of planning permission.
- *i)* on the edges of industrial areas, where sites adjoin residential areas or open countryside, developers will be required to provide substantial peripheral landscaping;
- 56. The site edge bounds with the M61 motorway located to the south west and no landscaping is proposed or required in this position as the current provisions are to be maintained. Either side of the site would be industrial buildings approved as part of the industrial estate development. To the north east elevation facing towards the canal there would be a landscaped area between the building and the internal highway. This would provide a small but well contained area of landscaping that would help to soften the appearance of the development and provide a more interesting and attractive interface between the development and the canal. This is considered to be a suitable level of landscaping in the context of the site and available space.

- *j)* the development makes safe and convenient access provision for people with disabilities;
- 57. It is proposed that access around the site would be level with minimal gradients, whilst the building itself would include lift access to upper floors and disabled parking provision of six spaces on the ground floor. DDA access would be covered in detail by building regulations.
- *k)* the buildings are designed, laid out and landscaped to maximise the energy conservation potential of any development, and to minimise the risk of crime;
- 58. The facilities supported by the proposed development would not generate significant energy requirements, the building being mostly taken up with car parking space. There would be some EV charging points contained within the building, and potential to provide further as demand changes.
- *I)* the proposal will not result in surface water, drainage or sewerage related pollution problems; and
- 59. A Drainage Strategy Report has been submitted in support of the application and sets out flood risk and drainage issues relating to the planning application. This has been assessed by the Lead Local Flood Authority (Lancashire County Council) and is covered in more detail below.
- m) the proposal incorporates measures which help to prevent crime and promote community safety.
- *60.* The site would be secured by fencing preventing access to the more vulnerable parts of the site, whilst 24 hour security would be used to further reduce the prospect of crime.

# Impact on character and appearance of the locality

- 61. The proposed development includes a decked car park over four levels (ground, first and second) to provide a total of 163 parking spaces (including 6 accessible spaces, 4 EV charging spaces and 4 visitor spaces), 25 cycle spaces, and 9 motorcycle spaces, a helipad on dedicated pad at upper level (third) to southeast corner, helicopter hangar to side of helipad, multi-purpose sports hall, changing facilities and ancillary uses (third floor), function room and outdoor terrace (fourth floor), stair and lift core link (all floors) to the adjacent mill building.
- 62. The car park areas of the decked structure are accessed off the proposed loop road of the main spine road serving the previously approved business park. This would also serve the planned self-storage facility in future. It would operate on basis of one-way circulation. The podium level would be served via a stair core and the previously mentioned lift cores. On this level is the replacement helipad, associated hangar, multi-use space with changing facilities, and function and ancillary rooms.
- 63. The helipad would facilitate the landing and taking off of the company helicopter. The hangar would enable it to be stored under cover. In addition, a multi-use space is proposed at this level which would extend the full depth of the podium deck. It would be separated from the hangar by the changing/ancillary facilities and vertical circulation core. The multi-use space would offer a place for FIREM employees to participate in exercise classes, team bonding sessions and sport, intended to promote mental wellbeing and good health. The facilities would be for FIREM use only and not open for public use.
- 64. The building would be clad in a series of vertical fins of a rustic colour and texture creating a sense of texture and fabric. Silver fins would be selectively introduced within the rusted façade intended to convey threads catching the light and reinforcing the fabric concept. The permeable nature of the vertical fins would allow natural ventilation of the car park, whilst providing visual interest. The proposed cladding solution would appear contemporary and industrial in feel, which would complement the traditional Victorian design and red brickwork

of the mill. The design would provide an interesting appearance to what would be a utilitarian and functional structure.

- 65. The appearance of the site and locality is dominated by Canal Mill, which is local landmark and highly prominent from the M61 Motorway. The mill is approximately 20m in height across 5 floors and has been added to over time with extensions and connecting structures, though it retains much of its original form. There are also outbuildings including the existing helicopter hanger. The elevations of the mill are predominantly brickwork in construction and have a number of windows spread in a grid like fashion. The corners of the building have been expressed through brickwork projections running up the entirety of the building and are topped with decorative flags dating back to the previous retail use. The mill building itself is characterful and distinctive, whilst the outbuildings and extensions detract from its appearance. The general character of the area is industrial in nature despite the more recent uses of the mill for retail and leisure.
- 66. The proposed podium extension would be attached to the north east elevation of the mill, which is visible from the canal and Blackburn Road further away. The extension would be contained within the natural curtilage of the mill and would replace the existing extensions and structures to be removed. It would not extend further to the north or south than the equivalent flank elevations of the mill, i.e., the north and south elevations of the mill, whilst it would be no taller than the highest part of the mill building in its existing form. The stepped profile of the podium would result in a subservient massing relative to the mill building in its current form, whilst the appearance of the proposed extension would provide a contrast that would complement, rather than detract from the character of the mill. Although much of the north east side elevation of the mill would be screened from view by the podium extension this elevation would remain largely unaltered by the development as the podium would only be attached by a central core and so the elevation would remain visible from within the site.
- 67. The appearance of the mill from the motorway and to the north and south from distance would be largely unaltered, whilst the podium would be screened from the motorway by the mill itself. The proposed podium extension would be highly visible from the canal and would be a large structure comparable to the mill. It is considered that it would be an improvement on the appearance of the existing structures to be removed, although it would be more imposing from the canal. It must be considered, however, that the site will be viewed in the context of large industrial warehouse sheds positioned either side of the site, and would be of commensurate scale. Although the proposed podium extension would sever views of the mill to an extent from the canal and Blackburn Road, it would reflect the industrial character of the site and would not detract from the appearance of the site or wider area to any significantly detrimental degree.
- 68. In summary, the proposed development would be of a commensurate scale in the context of the site area. The layout of the development would undoubtedly impact on the surroundings and public vantage points, though would be of a suitable design and massing in the context of the existing mill building and previously approved industrial development. Overall, the proposed development would result in an acceptable appearance that would be reflective of the expectations for the site as set out in the Local Plan and would be of a standard of design that responds to the character of the mill providing supporting infrastructure to support the continued use of the mill for FIREM's headquarters and offices. The development therefore complies with policy BNE1 of the Chorley Local Plan 2012-2026.

#### Impact on neighbour amenity

69. The application site occupies a position adjacent to the M61 motorway and the development would be on the opposite side of the mill from the motorway. The site is relatively isolated from residential development and the mill already represents a sizeable structure in this location. Whilst the proposal involves the development of a large scale structure, it would be sited over 250m from Botany Bay and over 150m from Clayburn Close, on the opposite side of the motorway, with those at Blackburn Road over 250m away. This is a significant degree of separation, such that the proposed building itself would

have no adverse impact on the amenity of the occupiers of any residential properties. This does not mean to say that the building would not be visible, but that the separation is so great that there would be no adverse impact on light or outlook. Matters of noise and air pollution have been considered earlier in the report.

## Impact on the strategic motorway network

- 70. This application is described as being for the 'erection of a podium to provide decked car park (163 spaces for cars / 9 motorcycle / 25 cycle), helipad and hangar, multi-purpose sports hall, access and internal circulation, landscaping and ancillary works'. A separate application (known as Phase 2 and 3) ref. 23/00164/FULMAJ application has been submitted, comprising of alterations to existing mill to facilitate change of use to self-storage facility and also to facilitate use of upper floor for offices, new roof level offices, access, circulation, ancillary development and landscaping.
- 71. The mill building has been operational in various guises for many years before the M61 was opened in 1969 and also since. The mill yard enables vehicles to drive around the mill building (i.e. in the space immediately alongside the motorway boundary), which is located alongside the merge of the Junction 8 eastbound entry slip road.
- 72. Whilst not directly alongside the mainline and whilst there is also a boundary fence with the motorway already within the site, this would unlikely be enough to prevent an errant vehicle from the motorway entering the site itself, which could have catastrophic consequences. Conversely, there is the potential for vehicles operating within the site to breach onto the motorway easily given that the route is shown as part of a one-way system for vehicles within the drawings for this application.
- 73. At present, there is no safety barrier installed on the motorway verge to prevent vehicle incursions from the motorway. This is not unusual, as standards at the time the motorway was built (and during any subsequent changes of use of the mill since) are different to those at present and standards are not applied retrospectively except during roads construction / improvements and maintenance and renewal schemes.
- 74. Given that this (and future applications) involve the change of use of the mill building that may alter the current risk dynamic, National Highways requires the applicant to undertake a safety barrier assessment under the Road Restraint Risk Assessment Process (RRRAP) in accordance with Design Manual for Roads and Bridges standard CD377.
- 75. Verge safety barrier is designed to protect road users from the 'hazard' of colliding with the mill building. However, the applicant also needs to set out what measures would be installed / are present and would be retained to prevent vehicles from the site crashing onto the motorway verge these features may also need to be included within the RRRAP assessment.
- 76. It should be noted that the requirement for completion of the RRRAP is consistent with that for the adjacent recently approved employment development (re. 21/00439/FULMAJ) being taken forward by the applicant under a planning condition.
- 77. The applicants have, therefore, as part of the work to discharge the planning condition, recently completed a RRRAP of the entire land boundary within the applicant's control bordering the motorway (including the mill) in order to address this issue and also that resulting from the applications for the changes of use and alterations to the mill itself. This has concluded that installation of safety barrier is required to protect road users from the 'hazard' posed by collision with the new buildings and mill itself).
- 78. National Highways will address matters relating to RRRAP and the safety barrier via a planning condition within their responses to application 23/00164/FULMAJ for Phases 2 and 3, which trigger the need for the RRRAP in relation to the mill itself given that these phases involve alterations and changes of use to the mill building itself. It is these changes of use that trigger the need for RRRAP, which is not applied retrospectively to adjacent land

uses save for where National Highways is undertaking its own major renewal schemes of which there is none planned for this section of motorway.

- 79. At face value, this 'Phase 1' application for the development of the mill site should not in theory generate in and of itself any further traffic than at present based on the assumption that:
  - The only staff travelling to and from the mill are the existing FI REM headquarters staff and that this application does not see these number expanded.
  - The rooftop sports pitch is solely for the use of the existing FI REM staff and is not a commercial enterprise pen to other users.
  - It would be the Phase 2 and Phase 3 applications for a self-store facility and expansion of offices on site that would by their nature be likely to generate vehicle trips.
- 80. Notwithstanding this first application, there are uncertainties over what the two future applications will cover and whether the proposals will generate new trips and so there needs to be an agreed basis now for the assessment of those impacts in relation to trips generated by the Canal Mill site itself vis a vis those generated by the committed development within the wider Botany Bay site.
- 81. As all three phases of the development are interlinked and the traffic generation potential of Phases 2 and 3 are likely to be more substantial, National Highways will (and is) seeking further information relating to traffic impacts separately under application 23/00164/FULMAJ, which is for the self-store facility and expansion of offices on site.
- 82. As regards the helipad and hanger, the helipad would be created on the roof of the multistorey car park building. The proposed extension is of similar height to the mill (and would be of less height as a result of the future proposal for roof-level offices to the mill building). This means that helicopters would land and take off 'behind' the mill building when viewed from the M61.
- 83. When viewed from the motorway, a helicopter take-off or landing would undoubtedly be a source of driver distraction, which is especially important given that the site is located close to the motorway junction (M61 Junction 8), where greater attention has to be given to the driving task (e.g. to ensure safe and timely lane changes associated with vehicles joining and leaving the motorway). Landing helicopters may be a source of additional distraction given that the potential for distraction may be enhanced by what drivers (or their passengers) might perceive as a helicopter about to land (or indeed collide with) the mill building; a location that one may not typically associate with aviation use. The extent to which driver distraction would occur is difficult to prove, but it cannot be doubted that any potential for additional distraction would increase the possibility of accidents happening.
- 84. In consideration of the application there is an existing ground level helipad facility alongside the mill building that has been in place for some time with a hangar being in use since approximately 2003. Therefore, this use is now lawful result of usage over time. Consequently, precedent for this type of use (and by implication driver distraction) has already been set at this location, regardless of the fact that having such a facility in close proximity to a busy motorway isn't inherently desirable.
- 85. The application does not state the frequency of future or existing use. National Highways recommend a condition be imposed to the effect of limiting intensive or commercial use of the helipad as a 'heliport' in order to reduce the potential for any safety impacts upon the motorway. The helipad currently operates without restriction and the imposition of such a condition would not, therefore, be reasonable in this context and would be difficult to enforce in any event. Notwithstanding this the scale of the facility would be self-limiting in any event and, therefore, the condition is not necessary.
- 86. It is recommended that an informative note be attached to any decision notice to ensure that there must be no direct, immediate take-offs or final approaches to land that cross the path of the M61 motorway to help minimise the potential for distraction of aviation incident involving the motorway. Crossing of the path of the motorway should happen at greater

height and at a further distance away from the helipad to the effect that the helicopter in flight might not be expected to result in any greater level of distraction to drivers than normal (i.e. not flying at a low altitude).

## Impact on highway safety and capacity on the local highway network

- 87. The main focus of the proposal is to accommodate existing car parking provision at the site, consolidated into a decked parking structure that is required in the context of the planning permission that has been granted for the wider development of the site for employment use. The Transport Assessment (TA) that has been submitted in support of the proposal notes that the acceptability of the principle of a large amount of commercial development at the wider Botany Bay Site is now established through the planning permission for the industrial business park. This consent established that the site has been determined to be in a sustainable location and is accessible by a range of non-car modes of travel including walking, cycling and public transport.
- 88. Taking the proposals in the round to include Schemes 2 and 3, the TA considers that the proposed use of the mill as a self-storage facility is found to generate very little additional traffic and what traffic is generated typically visits such facilities outside of morning and evening peak periods. The proposed office use is effectively needed and planned to accommodate an existing office operation currently taking place at the mill (through use of some existing internal accommodation and through add on buildings to the south elevation). As such, although provision is made for growth in the FIREM team, the planned decked car park within the proposed podium could accommodate existing and new employees, in addition to provision through a Travel Plan to promote use of sustainable travel modes.
- 89. The overall conclusions of the TA are that the transportation effects of the proposed development including the decked car park, as well the use / function of the future Scheme 2 and 3 developments at the mill, are acceptable. This follows on assumption of the delivery of highway mitigation at key local and strategic highway junctions planned through the approved business park scheme, which are secured through planning conditions and relevant highway agreements.
- 90. Accordingly, from a traffic and transportation perspective the TA concludes that no severe impacts are considered to arise. The assessment of local highway impacts are to follow on receipt of final comments from LCC Highway Services to be reported on the Addendum.

## Impact on designated heritage assets

- 91. A Heritage Statement has been submitted as part of the application submission. Canal Mill, located within the site is not listed nor included on the Council's Local List. It is understood, however, that an application for listing status has been submitted to Historic England. This does not, however, preclude the building from being considered a non-designated heritage asset. For the purposes of this assessment the current building at Canal Mill could be considered as being of some heritage value and as such could be regarded as being a non-designated heritage asset (NDHA). As highlighted by the Canal and Rivers Trust, the Leeds and Liverpool canal, which runs adjacent to the eastern boundary of the site, can also be considered to be a non designated heritage asset.
- 92. Non-designated heritage assets are identified as being buildings, monuments, sites, places, areas or landscapes identified by plan-making bodies as having a degree of heritage significance meriting consideration in planning decisions but which do not meet the criteria for designated heritage assets.
- 93. The principal statutory duty under the Planning (Listed Building and Conservation Areas) Act 1990 is to preserve the special character of heritage assets, including their setting. LPAs should, in coming to decisions, consider the principle Act, which states the following;

## Listed Buildings - Section 66(1)

- 94. In undertaking its role as a planning authority the Council should in respect to listed buildings pay special attention to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 95. In determining planning applications LPAs should take account of;
  - The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
  - The desirability of new development making a positive contribution to local character and distinctiveness.
- 96. Paragraph 199 of the Framework states that when considering the impact of proposals on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be applied. This is irrespective of whether any harm is identified as being substantial, total loss or less than substantial harm to its significance.
- 97. P. 200 of the Framework states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
- 98. P.202 of the Framework identifies that where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 99. P. 203 of the Framework states that the effect of an application on the significance of a nondesignated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 100. The Framework Glossary defines the setting of a heritage asset as "the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral".
- 101. The key heritage issue for the LPA to consider is the impact of the proposal on the setting of Canal Mill as a NDHA within the Application Site boundary. The mill building dates from the mid nineteenth century (inscribed with a date plaque from 1855), and is of red-brick construction in English Garden Wall bond, with detailing in stone.
- 102. Raised over five storeys from a rectangular footprint, the building has principal facades of 20 bays' length, with the return facades being of eight bays. The fenestration (where original) has metal frames with four lights, although many of the windows have been replaced with uPVC casement units.
- 103. There are slender towers to the four corners of the building, articulated on the façade by vertically channelled brick work and capped with convex pinnacles. The facades are largely plain. There are five blind windows to north eastern elevation of the building, dispersed over the first and second floors, and a number for ground floor entrances, dispersed asymmetrically.

- 104. The north eastern return façade has an entrance with a stone door surround, supported on Doric pilasters with a cornice above. The entrance bay is set between paired chamfered brickwork piers. Brickwork scars on this façade evidence the removal of doorways and the narrowing of window apertures.
- 105. Internally the building has been, and is being, refurbished for use as office space. This has led to a degree of partitioning in the office areas, but this has been achieved around the cast iron structural columns that proliferate the open plan spaces. The original goods and passenger lifts remain in situ with their signage, and the apertures for the rope race are extant to most floors.
- 106. The significance of the building is derived from the age and intactness of its built fabric, the typology and historic function of the building and its status as a local landmark. The building is located within an area of hard surfacing used as car parking, which is flanked to the east by the canal and to the north east and south east by field parcels and tree and shrubland planting. To the south west is the M61 which, although screened in part by tree planting, is highly audible and visible within the setting of the asset.
- 107. The proposed development comprises the construction of a podium car park with four levels of parking, a helipad, hall and hangar. The building, at its tallest point would be similar in height to the mill. It would be raised from a rectangular footprint and is of a similar massing and scale as the neighbouring mill building.
- 108. The car park would be linked to the mill building at ground floor level only. The proposal would cause a limited degree of direct impact in terms of the remodelling of the aperture at ground floor to allow for the connecting single storey atrium to the podium car park. The scale of the proposal and its proximity to the mill building mean that there would inevitably be a degree of severance of the relationship between the mill building and the adjacent canal, and a level of challenge to the landmark status of the building in the sense that its historic proportions would be lost in relation to some views.
- 109. It is, however, noted that the elevation adjacent to the motorway would remain entirely legible with the proposed extension being screened. It is also noted that the level of tree screening in views from Botany Brow would largely screen the proposal from view in this context and the visual prominence of the historic building would remain. It is considered that the level of harm generated by the proposal is of a low/medium in extent, and whilst the proposal would inevitably have an urbanising effect on the canal this harm must be balanced against benefits of the proposal, and the urban infrastructure in close proximity that already impacts upon this setting in addition to the previously approved industrial business park development that has been approved.
- 110. In consideration of the benefits of the proposal this has been designed to provide improved ancillary facilities that would support the ongoing use of the mill as headquarters and offices of FIREM and for its future conversion and use for storage purposes. These ancillary facilities and the clear intention to continue to use the mill into the future would ensure the investment necessary to maintain a historic structure of considerable scale is secured. The increased attractiveness of the mill as a workspace that would result from the proposed development would have economic benefits through supporting employment retention in the borough. The retention of the mill and economic benefits that would be supported through the proposed development would, on balance, outweigh any disbenefits associated with the severance of relationship between the mill and canal and loss of visual prominence of the mill from some views.
- 111. Under the duty imposed by s.66(1) of the P(LBCA) Act 1990 it is considered that the proposed development would have a low to medium impact on the setting of Canal Mill and the Leeds to Liverpool Canal in this location.
- 112. In this instance there is a significant social and economic benefit in retaining and securing the future of the mill building and supporting employment uses as anticipated by the Chorley Local Plan 2012-2026. This is considered to outweigh the low to medium harm

identified to non-designated heritage assets and is in conformity with Chapter 16 of the NPPF, Policy 16 of the Adopted Central Lancashire Core Strategy and policy BNE8 of the Chorley Local Plan.

# **Drainage**

- 113. Policy 29 of the Central Lancashire Core Strategy requires appraising, managing and reducing flood risk in all new developments, avoiding inappropriate development in flood risk areas. A Drainage Strategy Report has been prepared by Thomasons (Ref: PG/AW/11342) and submitted in support of the proposal. The application site is located within an area classified as Flood Zone 1, therefore, the site is considered to be at very low risk from fluvial flooding.
- 114. It is considered that the proposed drainage strategy provides a robust basis from which detailed surface water drainage proposals for the future development of the site can emerge. Sustainable drainage solutions have been considered for the site in line with the Sustainable Drainage Hierarchy. Infiltration is confirmed as being unviable for the site based on the underlying ground conditions, which comprise clay to depth along with a high ground water level. The next outlay option is discharge to a watercourse, which in this case is deemed to be the viable solution for the site. A 450mm diameter culverted watercourse passes beneath the site in a north westerly direction where it then heads west beneath the M61 motorway. Based on the identified cohesive ground conditions, it is proposed to drain the site to the diverted culverted watercourse via a new connection at a restricted discharge rate.
- 115. The drainage strategy states that the proposed surface water drainage network shall be designed to attenuate water on site due to the reduction in flow rates up to the 1 in 100-year plus 45% climate change allowance. Attenuation would be achieved though geocellular storage.
- 116. The Lead Local Flood Authority (LLFA) is a statutory consultee for major developments with surface water drainage, under the Town and Country Planning (Development Management Procedure) (England) Order 2015. The LLFA has reviewed the drainage details provided at this stage and considers these to be acceptable subject to the provision of further details and have recommended conditions requiring:
  - Final Surface Water Sustainable Drainage Strategy to be submitted
  - Construction Surface Water Management Plan, detailing how surface water and stormwater will be managed on the site during construction, including demolition and site clearance operations.
  - A site specific Operation and Maintenance Manual for the lifetime of the development, pertaining to the surface water drainage system.
  - Site specific verification report, pertaining to the surface water sustainable drainage system
- 117. It is recommended that appropriate conditions be attached to any grant of planning permission.
- 118. The flood risk implications arising from both the site itself and the intended development have been given careful consideration and the identified mitigation measures and outline drainage strategy would ensure that the proposal does not give rise to any adverse impacts in respect of flood risk, thereby complying with Core Strategy Policy 29 subject to the provision of further details.

## Ecology

119. The applicant has submitted a Preliminary Ecological Appraisal in support of the proposed development. This has been reviewed by the Council's ecology advisor who confirms that the ecological surveys undertaken for the site have been carried out by an experienced ecological consultant.

- 120. The UKHab methodology was used to describe the habitats present within the site, which were primarily buildings, and sealed and unsealed artificial surfaces with scattered ephemeral vegetation. These surfaces have little botanical value.
- 121. A raptor nest, believed to be that of a peregrine, was identified in a decorative turret on the roof of the mill building. Peregrines and their nests are protected under Schedule 1 of the Wildlife and Countryside Act 1981, which deems it an offence to disturb the birds whilst they are on or near the nest or disturb the nest whilst it contains eggs or dependent young. The plans do not include any works to the mill turrets.
- 122. The mill was identified as having bat roosting potential, which necessitated further survey work, as although the mill would only be impacted through minor structural alterations at ground floor from this proposal, there would remain some potential for disturbance during building works themselves in such close proximity. A bat presence / absence survey of the building in question was subsequently carried out and found no bats to be present. This provides evidence that the proposed works can be implemented without impacting roosting bats, which is agreed by the Council's ecology advisors.
- 123. Section 174 of the Framework states that the planning policies and decisions should contribute to and enhance the natural and local environment. The site is generally of limited ecological value, however, there are area of landscaping identified on the proposed site plan and a scheme to include full details of measures to enhance biodiversity at the site and to provide an overall net gain for biodiversity, in line with the aspirations of the Framework should be provided. It is recommended that the landscaping and biodiversity enhancement measures be secured by condition.

# Minerals and coal mining

- 124. The site has underlying sand and gravel deposits including Lower Haslingden Flags Sandstone bedrock, which are regarded as a Mineral Resource.
- 125. Policy M2 of the Lancashire Minerals and Waste Site Allocation and Development Management Policies Local Plan applies. The policy states that planning permission will not be supported if a development is incompatible by reason of "scale, proximity and performance" with mineral safeguarding.
- 126. The application is supported by a Minerals Assessment, which states that based on the site investigation undertaken at the adjacent site, it is anticipated that the sand and gravel resource is not pure and is likely to have a significant clay content and generally medium to high cobble content. As such the minerals would require significant processing prior to use and therefore may not be an economically viable resource.
- 127. Furthermore, the mineral resource was not found to be present continuously across the site and varied in depth and thickness. Due to the presence of the M61, the A674 and the Leeds and Liverpool Canal along three of the site boundaries, the significant extraction of the resource is deemed unlikely. The requirements for easements from the highways and canal would be significant and would reduce the workable mineral resource to a level whereby it is likely to be uneconomic.
- 128. Given that the site has been allocated for employment use as part of the EP1 policy, the site is protected for employment use between 2012 and 2026. The Chorley Local Plan 2012 2026, which would have taken into account the presence of the mineral resource at the time of allocation, states that there is potential for economic growth within the area to provide jobs and services if employment land is made available. The value of the land in planning terms is thus considered more valuable to deliver employment uses in line with the Local Plan, than to deliver a marginal and difficult to process mineral resource.
- 129. Consequently, given the above constraints, it is considered that there is an overarching need for the development that outweighs the need to avoid the sterilisation of the mineral resource.

## Community Infrastructure Levy (CIL)

130. 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 CIL liable development and any charge would be subject to indexation in accordance with the Council's Charging Schedule.

# CONCLUSION

131. The proposed development would contribute to economic growth within Chorley supporting the provision of employment and meets with the expectations of the Chorley Local Plan 2012-2026, fulfilling the requirements of the allocation. There would be no unacceptable detrimental impact on the amenity of neighbouring occupiers, no significant harm to the appearance of the site and character of the area, and the benefits of the scheme would outweigh the harm to non-designated heritage assets. In addition, there would be no unacceptable impact on the highway network, ecology or drainage. On the basis of the above, it is recommended that planning permission be granted subject to conditions.

# **RELEVANT HISTORY OF THE SITE**

**Ref:** 19/00130/DEMCON **Decision:** PERDEM **Decision Date:** 19 March 2019 **Description:** Application for prior determination for the proposed demolition of buildings at Botany Bay

Ref:20/00919/SCEDecision: RESCEZDecision Date:30 November 2020Description:Request for Screening Opinion pursuant to Regulation 5 of The Town and<br/>Country Planning (Environmental Impact Assessment) Regulations 2017 for the development of<br/>industrial and commercial buildings, main and secondary circulation roads, car and HGV<br/>parking, landscaping and ancillary works and infrastructure

Ref: 21/00439/FULMAJ Decision: PERFPP Decision Date: 25 January 2023 Description: Hybrid planning application seeking detailed and outline planning permission for the development of Botany Bay Business Park comprising development of Blocks A to J (37.661 sqm GIA) as follows: detailed planning permission is sought for Blocks C to J (36,996 sqm GIA) for Use Classes E (light industry only), B2 and B8; retention and improvements to existing vehicular access into site off A674; retention of closed access into site from the south (for emergency vehicle access only); new main and secondary circulation roads; servicing and circulation yards and HGV parking; car parking; pedestrian routes; landscaping and public realm; provision and upgrading of ancillary services and infrastructure and diversion of PROW FP26; and outline planning permission (all matters reserved except for means of access) for Block A (181 sqm) for Use Class E (food and drink)/sui generis (hot food takeaway) and Block B (484 sqm) for Use Class E and related access, car parking, circulation and landscaping

**Ref:** 22/00242/FULMAJ **Decision:** PERFPP **Decision Date:** 16 June 2022 **Description:** Temporary use of land for storage of commercial vehicles (retrospective)

Ref: 23/00107/DIS Decision: PCO **Decision Date:** Pending Description: Application to discharge conditions nos. 8 (levels), 10 (biodiversity scheme), 15 (arboricultural method statement), 17 (employment and skills plan), 25 (programme of archaeological work) and 36 (road restraint risk assessment (RRRAP)) attached to planning permission ref: 21/00439/FULMAJ (Hybrid planning application seeking detailed and outline planning permission for the development of Botany Bay Business Park comprising development of Blocks A to J (37,661 sqm GIA) as follows: detailed planning permission is sought for Blocks C to J (36,996 sqm GIA) for Use Classes E (light industry only), B2 and B8; retention and improvements to existing vehicular access into site off A674; retention of closed access into site from the south (for emergency vehicle access only); new main and secondary circulation roads; servicing and circulation yards and HGV parking; car parking; pedestrian routes; landscaping and public realm; provision and upgrading of ancillary services and infrastructure and diversion

of PROW FP26; and outline planning permission (all matters reserved except for means of access) for Block A (181 sqm) for Use Class E (food and drink)/sui generis (hot food takeaway) and Block B (484 sqm) for Use Class E and related access, car parking, circulation and landscaping)

**Ref:** 23/00164/FULMAJ **Decision:** PCO **Decision Date:** Pending **Description:** Demolition of temporary buildings and conversion of existing Canal Mill building to self-storage use (Use Class B8) (Ground to 3rd Floor) and office use (Floor 4); and two storey roof extension to provide additional office floorspace (2,564 sqm GEA) (Use Class E(g)(i)), new lift and staircase access, external facade and roof alterations, car parking, servicing and access, landscaping and ancillary works

23/00403/DIS Ref: Decision: PCO **Decision Date:** Pending Application to discharge conditions nos.16 (remediation strategy), 19 (surface **Description:** water sustainable drainage strategy), 23 (eastern boundary treatment and landscaping), 32 (CCTV drainage survey of drainage culvert), 34 (constructional details of building foundations, earthworks and retaining structures), 37 (sustainable surface water drainage scheme), 40 (construction management plan) and 49 (scheme of access improvements for pedestrian and cycle provision) attached to planning permission ref:21/00439/FULMAJ (Hybrid planning application seeking detailed and outline planning permission for the development of Botany Bay Business Park comprising development of Blocks A to J (37,661 sqm GIA) as follows: detailed planning permission is sought for Blocks C to J (36,996 sqm GIA) for Use Classes E (light industry only), B2 and B8; retention and improvements to existing vehicular access into site off A674; retention of closed access into site from the south (for emergency vehicle access only); new main and secondary circulation roads; servicing and circulation yards and HGV parking; car parking; pedestrian routes; landscaping and public realm; provision and upgrading of ancillary services and infrastructure and diversion of PROW FP26; and outline planning permission (all matters reserved except for means of access) for Block A (181 sqm) for Use Class E (food and drink)/sui generis (hot food takeaway) and Block B (484 sgm) for Use Class E and related access, car parking, circulation and landscaping)

**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