

Item 10/00812/FULMAJ

Case Officer Mr Matthew Birkinshaw

Ward Adlington & Anderton

Proposal Change of use of existing leisure moorings to 48 residential moorings

Location White Bear Marina Park Road Adlington
Chorley Lancashire

Applicant British Waterways Marinas Ltd.

Consultation expiry: 25 November 2010

Application expiry: 10 December 2010

Application No. 10/00812/FULMAJ
Consultation Expiry: 21 November 2010
Application Expiry: 10 December 2010

Proposal Change of use of existing leisure moorings to provide 48 permanent residential moorings at the White Bear Marina, Adlington.

Recommendation

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

Proposal

2. The application seeks full planning permission for the change of use of 48 leisure moorings to be used as residential moorings on a permanent basis. At present some boat owners already reside at the marina for the majority of the year, with this application seeking to formalise and regulate this arrangement.
3. The proposal only seeks the permanent change of use of up to 48 out of the 110 moorings, or 44%. The remainder of the moorings would continue to be used for informal leisure boat users. It is the intention of the applicant not to set out a formal area for these permanent residential moorings, instead having them spread throughout the marina as is the current arrangement.
4. As part of the proposal the car parking areas will be formally laid out and 48 spaces provided on a one for one basis allocated for permanent residents. New landscaped garden areas and bin store will also be provided to improve the appearance of the marina, along with secure cycle parking for residents.

Application Site and Surroundings

5. The application site is located on the Leeds Liverpool Canal close to Adlington town centre. Both vehicular and pedestrian access is taken from Park Road as this crosses the canal. The site currently benefits from leisure facilities including café, and area for the siting of caravans to the rear approved under a separate planning application in 2007.
6. All the moorings currently benefit from electricity and water connection points and none of this infrastructure will need to be replaced or upgraded as part of this proposal, which simply seeks to regulate the use.

7. Land to the north at Fairview Farm has recent planning permission for a new residential development which is currently under construction.

Main Issues

8. The main issues for consideration in respect of this planning application are:

- *Impact on the Leeds Liverpool Canal;*
- *Principle of Development;*
- *Nature Conservation and Ecology;*
- *Access and Parking; and;*
- *Residential Amenity.*

Representations

9. One letter of objection has been received from an existing berth holder at the marina. This letter of objection raises issues over the potential increase in cost to leisure users as a result of the proposal, and the administrative costs associated with regulating permanent moorings which would be the subject of Council tax etc.

Consultations

10. **Waste and Contaminated Land Officer** – No objections. The site lends itself to communal waste and recycling arrangements and the existing bins provided are acceptable for residents requirements. However, it is recommended that all waste must be stored safely and securely in order to prevent it causing pollution or harming anyone.
11. **British Waterways** – No objections. British Waterways have advised that this is made in response to their role as a statutory consultee, and is not affected by the nature of the application which is made by a subsidiary company British Waterways Marinas Limited.
12. **Lancashire County Council Ecology** – No objections. LCC Ecology conclude that the change of use will not have a detrimental impact on any habitats however in order to ensure compliance with relevant legislation and policy a condition is proposed for the creation of new habitats to improve the environmental quality of the canal.
13. **Lancashire County Council Highways** – Objection. The site lines out of the marina onto Park Road are insufficient due to the existing steel railings.
14. **Chorley Borough Council Planning Policy** – No objection. The proposal will promote a mixed and balanced community in accordance with Policy HS3A of the Local Plan and promote the environmental improvement of the canal under Local Plan Policy EP12 and EP13.
15. However, the applicant will have to demonstrate adequate provision for outdoor play space, or a commuted sum will be required in accordance with Local Plan Policy HS21, and also demonstrate that the proposal will not affect the availability of leisure moorings in accordance with Local Plan Policy LT9.
16. Both of these policies were addressed by the applicant during the determination of the application and are addressed in the assessment of development in the main body of this report.
17. **Adlington Town Council** – No comments received.

Assessment

Impact on the Leeds Liverpool Canal

18. The application site forms part of the White Bear Marina, referred to under Policy LT9 of the Local Plan as suitable for water-based leisure facilities. The supporting text to this policy recognises the important heritage and recreational resource of the canal and that there is a clear need for additional leisure moorings.
19. The applicant, British Waterways Marinas Limited operate 18 marinas nationally and are experiencing an increased demand for permanent residential moorings from existing berth holders. These holders already reside at White Bear Marina for the majority of the year but are seeking to formalise this arrangement through this application.
20. In support of the proposal the applicant has submitted information which demonstrates the availability of existing leisure marinas, and those under construction within Lancashire. This includes a new 200 berth marina opened in March 2009 at Scarisbrick, and 40 new berths due for completion at the Former Bickershaw Colliery in Wigan. This is in addition to the existing leisure moorings throughout the Borough.
21. Given these existing and proposed leisure moorings it is reasonable to conclude that removing 48 berths from the overall supply will not adversely affect the opportunities for members of the public wishing to utilise and enjoy this particular stretch of the canal. The canal will continue to operate as existing, with the proposal only seeking to formalise what is currently on site. The proposal is therefore consistent with Local Plan Policy LT9 which seeks to protect use of the White Bear for leisure purposes.

Principle of Development

22. The change of use proposed will create 48 permanent residential dwellings and therefore the housing policies of the adopted Local Plan are relevant, in particular Policy HS21 with regard to outdoor play space. The Council's guidelines in the adopted SPG state there is a requirement for all new housing, irrespective of size to make a financial contribution towards play space except for schemes such as sheltered housing, elderly, or single bedroom housing.
23. In response to this the applicant has submitted a statement presenting a case that this proposal is exempt from the SPG given the type and nature of boats which can use the marina. The statement confirms that typically the berths would be used by boats under 60ft in length which only benefit from one bedroom, and are commonly used by couples.
24. Whilst this point is accepted, it will therefore be necessary to control use of the permanent moorings specifically to this type of vessel. Without this control the marina could conceivably be used for larger boats which fall to be determined under the requirements of the SPG and with it bring additional pressures on local services which would require a level of appropriate contribution.
25. Subject to a condition restricting the use of the marina to 60ft boats the proposal falls outside of the requirements of the SPG and a financial contribution towards outdoor play space is not required.
26. In terms of the other requirements for new housing the proposal is considered to be acceptable. It will promote a mixed and balanced community within Adlington, provide an element of housing which is affordable and available to local people, provide adequate storage for household waste and recyclables, and is situated within a sustainable location close to community facilities and services.

Nature Conservation and Ecology

27. The Leeds Liverpool Canal is designated for environmental improvements under Local Plan Policy EP12 and EP13. As part of the application an Ecological Survey was submitted by the applicant to demonstrate that the proposal would not have any detrimental impact on the environmental quality of the canal. The report has been assessed by LCC Ecology who have agreed with its findings given that no operational development is proposed.
28. Notwithstanding this LCC Ecology advise that it is necessary to impose a planning condition requiring submission of a scheme for the creation of additional habitats along the canal. Subject to meeting the requirements of this condition the proposal will have a direct positive impact on the continued environmental improvement of the canal in accordance with Local Plan Policies EP12 and EP13.

Access and Parking

29. At present the marina has areas of hard standing used informally for parking. As part of the proposal the applicant has submitted a plan showing how the parking areas across the site will be formally laid out to provide 48 car parking spaces for residents on a one for one basis. This is considered to be sufficient given the nature of canal boats which will be using the marina on a permanent basis and Council guidelines on 1-bedroom dwellings.
30. In response to the application LCC Highways have raised an objection on the basis that there is insufficient visibility along Park Road from the junction into the marina, caused by the steel railings on the bridge. However, in this case the fallback position is a significant material consideration in the planning balance, with the marina already benefitting from use of the site for leisure boat purposes. Based on this current use and existing junction it is therefore not considered that this is sufficient to warrant a reason for refusal in response to this application, which essentially seeks to formalise an existing arrangement.

Residential Amenity

31. The proposal seeks to formalise and regulate the existing marina which already contains a number of boats moored for the majority of the year. Given the existing use of the site it is not considered that this proposal will have any impact on neighbouring residential properties, the nearest of which are currently separated by the canal and/or main road.
32. To improve the site and improve the amenity of future occupants the applicant has submitted a plan illustrating how additional landscaping is proposed to make the best use of communal areas. Whilst the finer details can be agreed through a planning condition this demonstrates that ornamental open space will be included to the benefit of the site and future residents in accordance with Local Plan Policy HS20.

Overall Conclusion

33. The proposal seeks planning permission to formalise and regulate the use of the existing White Bear marina to allow boat users to use the site on a permanent basis. This is in response to an identified need for permanent moorings and growing demand for this type of accommodation.

34. The applicant has demonstrated that there remains sufficient capacity for leisure boats to continue to enjoy the Leeds Liverpool Canal consistent with Local Plan Policy LT9, and subject to a condition regarding the creation of habitats will improve the environmental quality of the canal in accordance with Local Plan Policies EP12 and EP13.

35. Subject to the marina only being used for boats under 60ft, which due to their size are primarily single bedroom vessels there is no requirement for a contribution towards to play space provision under Local Plan Policy HS21. Subject to additional conditions requiring specific details on the improved landscaped areas, and the laying out of a formal car park the application is considered to be acceptable, will improve the marina and it is recommended that full planning permission is granted.

Planning Policies

National Planning Policies:

PPS1, PPS9

Adopted Chorley Borough Local Plan Review

Policies: LT9, EP12, EP13, HS4, HS20, HS21

Planning History

The planning history of the site is as follows:

- Ref: 98/00144/FUL – Erection of storage building. Approved May 1998.
- Ref 06/00965/FUL – Formation of hard standing to accommodate caravans or camper vans. Approved March 2007.

Recommendation: APPROVE FULL PLANNING PERMISSION SUBJECT TO CONDITION

Recommendation: Permit Full Planning Permission Conditions

1. The proposed development must be begun not later than three years from the date of this permission.

Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. This consent relates to the following plans:

Plan Ref.	Received On:	Title:
WBR/003 Rev C	10 December 2010	Proposed Site Plan

Reason: To define the consent and to ensure all works are carried out in a satisfactory manner.

3. The permanent residential moorings hereby granted shall only be occupied by canal boats up to 60 feet in length and by no other vessels.

Reason: The permission was granted having regard to the special circumstances advanced in support of the application, however larger family boats would be inappropriate in this area without appropriate provision for contributions towards play space provision and the requirements of Policy EP21 of the Adopted Chorley Borough Local Plan Review.

4. Notwithstanding the information shown on the approved drawings, full details of a design for the screening of the existing external bin store shall be submitted to and approved in writing by the Local Planning Authority. The agreed design shall then be implemented on site prior to the commencement of the use hereby approved and shall remain thereafter.

Reason: In the interest of residential amenity of the future occupiers of the site and in accordance with Policy No HS4 of the Adopted Chorley Local Plan.

5. Before the development hereby permitted is first occupied, provision for cycle parking provision, in accordance with details to be first agreed in writing with the Local Planning Authority, shall have been made.

Reason : To ensure adequate on site provision for cycle parking and in accordance with Policy No. TR18 of the Adopted Chorley Borough Local Plan Review.

6. No development shall take place until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail which may have previously been submitted. The scheme shall indicate all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform.

Reason: In the interests of the amenity of the area and in accordance with Policy No.GN5 of the Adopted Chorley Borough Local Plan Review.

7. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interest of the appearance of the locality and in accordance with Policy No GN5 of the Adopted Chorley Borough Local Plan Review.

8. Before any development hereby permitted is first commenced, full details of the surfacing, drainage and marking out of all car park and vehicle manoeuvring areas shall have been submitted to and approved in writing by the Local Planning Authority. The car park and vehicle manoeuvring areas shall be provided in accordance with the approved details prior to first occupation of the premises as hereby permitted. The car park and vehicle manoeuvring areas shall not thereafter be used for any purpose other than the parking of and manoeuvring of vehicles.

Reason: To ensure adequate on site provision of car parking and manoeuvring areas and in accordance with Policy No. TR8 of the Adopted Chorley Borough Local Plan Review.
