

Application No: 10/01067/FULMAJ

Case Officer: Caron Taylor

Ward: Chisnall

Proposal: Change of use from of former auction house (part of building) to a mixed use comprising warehouse/recycling space, retail space and office/ancillary space for Help the Homeless.

Location: Unicorn Fairs South Hall Park Hall Park Hall Road
Charnock Richard

Applicant: Help The Homeless Ltd

Consultation expiry: 26 January 2011

Application expiry: 9 March 2011

Proposal

1. The application is for a change of use from a former auction house (part of building) to a mixed use comprising warehouse/recycling space, retail space and office/ancillary space for Help the Homeless.

Recommendation

2. It is recommended that planning permission is granted subject to conditions restricting it to a three year temporary permission and for the use by the charity only.

Background

3. The proposal is to use the building for a warehouse/recycling space, retail space plus office and ancillary accommodation. The applicant, Help the Homeless intend to lease the building for three years as they intend to move into Chorley Town Centre in the long run (subject to any necessary permission), however the building they have identified has been found to have asbestos and the charity are awaiting funding to progress it. They therefore need a temporary solution in the mean time.

Main Issues

4. The main issues for consideration in respect of this planning application are:
 - Principle of the Proposal
 - Design and Appearance
 - Impact on the Neighbours' amenities
 - Highways and Parking

History

4. The building was originally built as a swimming pool but its latest use has been as an auction house.

Representations

5. One letter of no objection to the proposal has been received from a resident in Standish, Wigan.

Consultations

6. **Lancashire County Council Highways** – Have no objection to the proposal. The change of use will attract various people to visit. In the case of previous use of the building as auction house there were still the people visiting. There is therefore no significant impact on the highways as such. There is a parking facility available for visitors. It is not anticipated that there will be an increased number of visitors.
7. **Planning Policy** – State the retail element of the scheme is contrary to policy and this

proposal stands to be considered against the development management policies contained in PPS4 and Chorley Local Plan policy SP1 for retail development proposals outside recognised shopping centres. A sequential assessment should have been undertaken. In this case they believe the applicants need to show more clearly the steps they have taken to find suitable premises within or adjacent to a recognised shopping centre. They should also include evidence that they have sought information and advice from the Council's Economic Development Unit, especially its "vacant units study" database. However, given the applicants' urgent need for temporary accommodation, they believe this level of evidence will satisfy the requirements of the sequential test, subject to the comments below.

8. When considered against policy SP1, my assessment of the criteria is as follows:
 - (a) no expected environmental impact (no alterations to the external treatment of the existing building);
 - (b) no expected additional pressure on the road network or car parking;
 - (c) the applicant needs to demonstrate that no other units are available in a recognised shopping centre to meet their specific needs.

9. In terms of the criteria for sites outside Chorley Town Shopping Centre, the applicants require a large single floor area and storage and retail facilities, and their use of the building at Park Hall will include using some of the large adjacent car park for customers. The building will be suitable for their short-term needs with relatively minor internal alterations. The only concern they have in connection with policy SP1(ii) is that the site is not well served by public transport. The applicants have indicated that there is every intention to move back to a town centre location when it is available (funding for the refurbishment of the building in Chorley Town is expected to be secured in 2011). Bearing this in mind, and also acknowledging that the building is physically suitable for the proposed use, it is recommended that a temporary consent be granted to the applicants, pending the availability of more suitable premises and that any consent is restricted to the applicant only. This should help allay the concerns of others (regarding the use of premises at Park Hall) and help avoid the creation of a precedent for unrestricted retail uses at this location.

Assessment

Principle of the Development

10. The site is in the Green Belt but is allocated as a Major Developed Site under policy DC6 of the Local Plan. However, the proposal does not propose any external alterations or extensions. In addition it is not considered the proposal will result in an increase in people visiting than the current use of the building as an auction house. It is therefore not considered that the proposal will result in an unacceptable intensification of the use in the Green Belt.

11. Policies EC14 and EC15 of PPS4 are relevant to the application along with policy SP1 of Adopted Chorley Borough Local Plan Review. These policies apply to retail development outside recognised shopping centres.

12. Policy EC14.3 of PPS4 requires a sequential assessment (under EC15) to be carried out for planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up to date development plan. This requirement applies to extensions to retail or leisure uses only where the gross floor space of the proposed extension exceeds 200 square metres. The agent asserts that a sequential assessment is not required as there is no physical extension to the building. However, it is considered that this proposal should be considered as an extension of retail floor space as the proposal will create additional retail floor space over 200 square meters. However, this case is somewhat unusual. The proposal is for a temporary use of the building for three years while the charity seeks funding for a more central building in Chorley. The use will be half retail and half warehouse/recycling. The charity will take in damaged donated items and renovate them in part of the building and sell them in the front part. The items will be bulky goods such as sofas, chairs, tables etc. The charity are currently housed in a church which is being sold and

they therefore need to find another location. As stated previously the applicants had found an alternative building however asbestos has been found and they are seeking funding to progress this. They therefore need temporary accommodation for the use. It is considered the building is a short-term solution to the accommodation problem of the charity. It is accepted that a sequential test would normally have been required for what is a town centre use, however this is a short-term solution to the charity and they are prepared to accept a condition restricting the use to a temporary 3 year permission and that it be restricted to the charity only. It is considered this will control the use sufficiently to prevent an unrestricted A1 use at the site that would be contrary to policy.

13. In terms of criteria (ii) of policy SP1 it is accepted that the use is not well served by public transport. However, as this is only a temporary use and that the lawful use of the building could also generate a lot of traffic it is considered acceptable on a temporary basis.

Design, Appearance and Layout

14. The proposal does not involve any external alterations to the building.

Neighbour Amenity

15. There will be no impact on neighbouring properties as the building is within the Park Hall complex where there are no neighbouring residents.

Access and Parking

16. Access and parking to the site will remain as exists. A large area of existing parking is available to the front and rear of the unit which is considered sufficient for the proposal.

Overall Conclusion

17. The application is recommended for approval on a temporary basis and restricted to the charity only. This will be controlled by conditions.

Planning Policies

PPS4, PPG2, SP1, DC1, DC6

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. The approved plans are:

Plan Ref.	Received On:	Title:
10-1631 LO1	9 December 2010	Site Location Plan
10-1631 EX01	9 December 2010	Existing Floor Plans
10-1631 P01	9 December 2010	Proposed Floor Plans

Reason: To define the permission and in the interests of the proper development of the site.

3. The use hereby permitted shall be carried on only by Help the Homeless Ltd and shall be for a limited period of 3 years from first occupation of the building. When the premises cease to be occupied by Help the Homeless Ltd or at the end of 3 years from first occupation of the building whichever shall first occur, the use hereby permitted shall cease.

Reason: The permission was granted on a temporary basis having regard to the special circumstances advanced in support of the application, however the use would be inappropriate to the locality on a permanent basis and in accordance with PPS4 and Policy No. SP1 of the Adopted Chorley Borough Local Plan Review.