

Item 4e **12/00191/OUT**

Case Officer **Mr Adrian Morgan**

Ward **Adlington & Anderton**

Proposal **Outline application for the demolition of the existing buildings and erection of four houses (two pairs of semi-detached houses).**

Location **107 - 113 Chorley Road Adlington Chorley LancashirePR6 9LP**

Applicant **Mr T Pickering**

Consultation expiry: **29 March 2012**

Application expiry: **3 May 2012**

Proposal

1. Erection of two pairs of semi-detached houses following demolition of the existing commercial premises on the site.

Recommendation

2. It is recommended that this application is granted conditional outline planning approval subject to an associated Section 106 Agreement.

Main Issues

3. The main issues for consideration in respect of this planning application are:
 - Principle of the development
 - Loss of employment premises
 - Housing Development
 - Impact on the neighbours
 - Traffic and Transport

Representations

4. Two neighbour representations have been received.
5. Both representations suggest that the land between the numbers 113 and 115 Chorley Road is in the same ownership as the house at number 115. On the submitted plan this area is included within the red line and is indicated as parking for one of the proposed houses.
6. One of the correspondents, whilst welcoming the redevelopment of the site in principle, also indicates that he would object to the loss of the trees and shrubs that presently run along the boundary between the site and number 105 Chorley Road (which he says is wrongly indicated as number 103 in the submitted Design & Access statement).
7. Adlington Town Council wrote in support of the proposal, stating that "The Town Council considers that a residential development of this type would be a suitable use for this site".

Consultations

8. **Highway Authority**
No overriding objection to the proposal in principle, however, sufficient vehicle turning space should be provided to allow vehicles to enter and leave the site in forward gear. Also require

applicants to reinstate/provide public footway on Chorley Road up to number 105 and enter into a related S278 agreement with the Highway Authority to provide the required works.

9. **Director People and Places** - *The following comments were submitted: -*

Due to the size and sensitive end-use (residential with garden), the development hereby permitted shall not commence until the applicant has submitted to and had approved in writing by the Local Planning Authority a report to identify any potential sources of contamination on the site and where appropriate, necessary remediation measures.

The report should include an initial desk study, site walkover and risk assessment and if the initial study identifies the potential for contamination to exist on site, the scope of a further study must then be agreed in writing with Local Planning Authority and thereafter undertaken and shall include details of the necessary remediation measures.

The development shall thereafter only be carried out following the remediation of the site in full accordance with the measures stipulated in the approved report.

Reason: In the interests of safety and in accordance with PPS23

Please Note: It is the applicant's responsibility to properly address contaminated land issues, to ensure safe development and secure occupancy.

INFORMATIVE - Desk Study Report *The report should include a desk study, site reconnaissance (walk over) and risk assessment in accordance with the recommendations in Planning Policy Statement 23: Planning and Pollution Control 2004. Further guidance and advice on producing the report can be obtained from the Council's Contaminated Land Officer on 01527 515661.*

Assessment

The Site

The application site is situated on the eastern side of Chorley Road. It is presently occupied by what appear to be three unoccupied buildings that were formerly used as commercial premises. Three of these buildings form a terrace and front the road. The northernmost building is a two storey office of similar appearance to nearby houses; the central building is a single-storey, flat roofed former shop and the southernmost building is a larger, pitched roofed, showroom type retail premises. Behind these buildings is a brick-built outhouse formerly used as a workshop/store. There is also a concrete garage towards the rear of the site.

The buildings on the site are set back behind a narrow frontage that is open to the pavement. Between number 105 Chorley Road and the northern edge of the site is a row of trees and bushes. There are driveways at both ends of the site that run to the rear boundary. Behind the buildings is a small courtyard area, beyond which is a playing field.

The buildings and site presently have a generally neglected appearance. The rear boundary fence is broken down, leaving the site open to the adjoining playing field.

Directly facing the site across Chorley road is a telephone exchange, a detached bungalow and a short row of shops.

Loss of Employment Use

10. Policy EM9 of the Chorley Local Plan applies to the redevelopment of employment sites. It requires that such sites are retained for employment use unless it can be demonstrated that such uses are no longer viable, or are no longer appropriate, on the site.
11. The applicants have indicated that the site has been marketed for three years without success. Evidence of this marketing has not been submitted with the application but,

according to by the applicant, could be provided. A large For Sale sign is apparent on the site and has been in place for a considerable period.

12. The retail uses that comprise the majority of the site are not subject to Policy EM9 anyway and it is considered that, for planning purposes, the redevelopment of the site in its entirety would be preferable to any piecemeal approach.
13. A conditional sale was agreed in 2010 subject to planning permission being obtained for a small food store on the site (application 11/00161/FUL). This application was refused by the Council mainly due to the out-of-centre location of the site; poor vehicle access and car parking provision and neighbour amenity issues.
14. The refusal of application 11/00161/FUL demonstrates that it would be unlikely nowadays that the site would be considered to be appropriate in planning terms for the employment uses that presently occupy it, due in particular to the lack of potential to create suitable access for servicing and car parking. As such, a change to residential use is in principle welcome.

Housing Development

15. Most of Chorley Road within the vicinity of the site is lined with terraces of houses and semi-detached houses of the type proposed would be a lower density of development than most housing along the road. This difference is not problematic in policy terms; it would increase the range of house types available along the road and provides for each house to have two off-road car parking spaces, which would satisfy policy requirements for houses with up to three bedrooms.
16. The proposal complies with the relevant criteria set down in Local Plan housing policies HS4 and HS6, for example; the site is accessibly located; the development could be satisfactorily accommodated on the site and would be compatible with surrounding uses; and there would be no conflict with other policies in the Local Plan. The outline proposal submitted presents no constraints that would limit the potential for a satisfactory reserved matters scheme to be drawn up should outline permission be granted.

Impact on the neighbours

17. The only likely alternatives for the site, other than its use for housing, are that the present retail / employment uses would find occupiers and recommence, or, should this not happen, then the site would become ever more neglected. Either way, neighbour amenity would be more likely to be compromised than it would by the presence of four houses on the site. The use of the site for housing could be expected to generate fewer comings and goings and less general disturbance than commercial uses and also to ensure its reasonable tidiness, maintenance and security.

Traffic and Transport

18. The proposed development would provide for sufficient off-road car parking provision to meet policy requirements for up to three-bedroomed houses. The plans also indicate that some turning space would be provided on the site to allow both access and egress in forward gear. The Highway Authority has, however, indicated that additional space would be required.
19. In practice, in traffic terms, as with the neighbour amenity issue, four houses would be likely to generate fewer comings and goings than the existing use should it be continued and, therefore, the proposed use would represent an improvement. Most of Chorley Road close to the site is occupied by housing, the majority reliant upon on-street car parking. The proposed development would be consistent with the dominant use along the road and provide parking facilities in line with present policy requirements.

Section 106 Agreement

20. In line with the requirements of Policy HS21 of the Chorley Local Plan and the Council's Interim Guidelines on New Equipped Play Areas, the applicant and other interested parties will be required to enter into a Section 106 legal agreement with the Council to provide an offset sum in lieu of play space provision at Reserved Matters stage.

Overall Conclusion

21. The proposed development does not conflict with any national or local policy.
22. There is evidence that the existing use of the site is no longer tenable; this evidence includes the fact that planning permission was recently refused by the Council its redevelopment for retail purposes.
23. The proposal represents an opportunity to redevelop a site that presently has a use that is no longer being operated, and there appears to be no immediate prospect of any commercial use recommencing. As a result of the buildings being unused, the site, which is prominently located on the main road, is gradually developing an increasingly neglected appearance.
24. The proposed housing use would be consistent with the residential nature of the road in the immediate vicinity. In comparison to the existing use, housing would be likely to offer benefits in highway and traffic terms and to neighbour amenity.

Planning Policies

National Planning Policies:

National Planning Policy framework (NPPF)

Adopted Chorley Borough Local Plan Review

Policies: HS4, HS6, HS21, EM9

Planning History

The site history of the property is as follows:

Ref: 11/00161/FUL **Decision:** REFFPP **Decision Date:** 21 April 2011
Description: Erection of an A1 retail unit including ATM, plant and car parking alterations

Ref: 12/00191/OUT **Decision:** PCO **Decision Date:**
Description: Outline application for the demolition of the existing buildings and erection of four houses (two pairs of semi-detached houses).

Recommendation: Permit subject to legal agreement Conditions

1. **Prior to occupation of the buildings hereby approved, the applicants must reinstate or provide a public footway on Chorley Road to provide continuity with the existing footway up to number 105. This will involve entering into a related S278 agreement with the Highway Authority to provide the required works.**
Reason: In the interests of highway safety and in accordance with the National Planning Policy Framework and Local Plan policy TR4.
2. **Due to the size and sensitive end-use (residential with garden), the development hereby permitted shall not commence until the applicant has submitted to and had approved in writing by the Local Planning Authority a report to identify any potential sources of contamination on the site and where appropriate, necessary remediation measures.**

The report should include an initial desk study, site walkover and risk assessment and if the initial study identifies the potential for contamination to exist on site, the scope of a further study must then be agreed in writing with Local Planning Authority and thereafter undertaken and shall include details of the necessary remediation measures.

The development shall thereafter only be carried out following the remediation of the site in full accordance with the measures stipulated in the approved report.

Reason: In the interests of safety and in accordance with the National Planning Policy Framework.

Please Note: It is the applicant's responsibility to properly address contaminated land issues, to ensure safe development and secure occupancy.

INFORMATIVE - Desk Study Report The report should include a desk study, site reconnaissance (walk over) and risk assessment in accordance with the recommendations in Planning Policy Statement 23: Planning and Pollution Control 2004. Further guidance and advice on producing the report can be obtained from the Council's Contaminated Land Officer on 01527 515661.