

Item 4m **12/00246/FULMAJ**

Case Officer **Mr Paul Whittingham**

Ward **Chorley South East**

Proposal **Reserved Matters Application in relation to planning permission 09/00933/FULMAJ (Appearance, Landscaping _ Layout) for the provision of a business/non residential institution unit (use class B1 _ D1)**

Location **Land North Of Duke Street Including QS Fashions And Bounded By Pall Mall And Bolton Street Chorley Lancashire**

Applicant **ASDA Stores Ltd**

Consultation expiry: 30 May 2012

Application expiry: 5 July 2012

Proposal

1. Planning permission was granted 09/00933/FULMAJ on 21/12/2010 for a hybrid application to include full planning permission for a new supermarket, with parts of the site (Bolton Street and Big Lamp junction) approved in outline for B1 or D1 use with access and scale having been determined.
2. This application is a reserved matters application for the appearance, layout and landscaping of part of the Bolton St outline site. The proposed building has a frontage of 18 metres and a depth of 16 metres with a height of approx. 7.4 metres. The proposed finish will be red brick at ground floor and a flat composite panel at first floor with a flat roof.
3. The building is proposed as a replacement for the existing Probation Service building that is elsewhere on the proposed supermarket site and will have to be demolished to make way for the proposed new ASDA store along with several other buildings on the existing site.

Recommendation

4. It is recommended that this application is granted conditional Reserved Matters approval.

Main Issues

5. The main issues for consideration in respect of this planning application are:
 - Principle of the development
 - Background information
 - Levels
 - Impact on the neighbours
 - Design
 - Trees and Landscape
 - Traffic and Transport

Representations

6. No letters of objection have been received

7. Two letters of support have been received that highlight support for investment and the opportunity that the Asda store will bring to this part of the Town. This application as part of the overall development is vital to improving this area and making the Town joined up.

Consultations

8. **Director People and Places** – No Objections.
9. **Lancashire County Council (Highways)** – No Objections
10. **Chorley's Waste & Contaminated Land Officer** – No Objections, the conditions imposed under the Hybrid application are sufficient to deal with any contamination issues that arise.

Assessment

Principle of the development

11. Approval was granted in December 2010 (part Outline and part Full) for the redevelopment of the site fronting Bolton Street and Pall Mall to provide a Class A1 food store (full) and provision of a retail unit and a business / non residential institution unit (use class B1 & D1) (Outline). As this is a reserved matters application the principle of the development is not being considered and it is the reserved matters applied for that are to be considered namely - appearance, layout and landscaping.

Background Information

12. Whilst planning consent was granted back in December 2010 for the overall redevelopment scheme the relocation of the Probation office is a critical element to the overall scheme being progressed due to its position in the middle of the site that would prevent the construction of the store. A Highway legal agreement is being progressed that is needed for the works to Market St and the Big Lamp junction but will also include Bolton Street and the creation of a new service access adjacent to this site where the old Kwik Save building was.

Levels

13. The overall site does not have any significant levels changes however there are small levels changes on this part of the site between the adjoining Carpet Warehouse and the proposed footpath that runs from Bolton Street to where the new Asda Store will be located. The land adjacent to the Carpet Warehouse is higher than the internal floor level of the warehouse and as part of the consideration of this application the potential impact of changes to the levels adjacent to that property have been considered. To reduce the potential for harm from water the footpath will take water away from the Warehouse and conditions can be imposed to consider the implementation stage of the construction and relevant protection measures to be put in place.
14. As this application could be implemented ahead of the permission for the store then a condition to resolve any levels differences where the footpath referred to in the last paragraph meets the existing car park can be imposed. It is considered that the potential for this building to be constructed without the main development is unlikely however that possibility must be addressed and it can be resolved via a condition.

Impact on the neighbours

15. The impact upon the adjacent Carpet Warehouse has been considered, the land to the rear of the building is to be the site of the new supermarket, and the properties on Duke Street will be approx. 60 meters away. Properties on the other side of Bolton Street are mainly commercial properties and this office unit is two storey is located 18 meters from the nearest property opposite which is a Tattoo Parlour with a takeaway next to it. It is not considered

that there is an impact on the properties opposite sufficient to justify an alternative recommendation.

Design

16. The details of the proposed materials have been submitted with the application and include a red brick for the ground floor and composite panels for the first floor.

Trees and Landscape

17. There are conditions attached to the approval of the overall development in relation to the landscaping of the overall site. In relation to this part of the site the matters considered relate to the hard landscaping of the site and the layout of the car park including any fencing surrounding the site.

18. The fencing proposed has been modified from palisade to paladin that is considered to provide the required level of security but maintain a higher level of quality on a main road location and within such a visible location.

Traffic and Transport

19. LCC Highways have considered the proposal and raise no objections as they consider the level of parking and the access to the proposed site to be acceptable.

Overall Conclusion

20. This reserved matters application is the pre-requisite to delivering an alternative building for the Probation Service to keep them within Chorley and to provide a modern building and improved facilities and to ensure that there are no barriers to delivering the proposed new Asda store and improvements to the Big Lamp junction and Market Street. There are no issues that cannot be overcome by the imposition of conditions.

Planning Policies

National Planning Policies:

National Planning Policy Framework – The Framework

Adopted Chorley Borough Local Plan Review

Policies: EM2 – Business Criteria for Industrial / Business Development

Chorley's Local Development Framework

- Policy SR1: Incorporating Sustainable Resources into New Development
- Sustainable Resources Development Plan Document
- Sustainable Resources Supplementary Planning Document

Joint Core Strategy

Policy 1 – Locating Growth

Planning History

09/00933/FULMAJ: Full application for the demolition and redevelopment of existing structures to provide a Class A1 foodstore, petrol filling station, associated car parking, servicing, new accesses, public realm and landscaping. Outline application for the provision of a retail unit (Use Classes A1, A2, A3, A4, A5) and a business/non-residential institution unit (Use Classes B1 and D1) including details of scale and access.

Approved: 21 December 2010

Recommendation: Approve Reserved Matters

Conditions

1. **Prior to the commencement of works in respect of the construction of the footpath adjacent to the Carpet Warehouse hereby approved a method statement shall be submitted to and approved by the local planning authority. The method statement**

shall detail measures to protect the adjacent carpet warehouse during construction and following the completion of the works (specifically in respect of changes to levels and potential for water bearing material to impact on the warehouse) and how the levels of the footpath will link into the adjacent car park. *Reason: The development proposed should not result in a level of impact upon the Carpet Warehouse greater than the existing impact and the footpath should blend in with existing levels at either end of the footpath link pending the redevelopment of the site to provide the Asda store.*

2. The proposed building and associated boundary fencing shall be implemented in accordance with the materials stated within the approved details contained within the plans unless prior written approval of an alternative named brick or panel that reflects the aims of the access and design statement has been agreed with the local planning authority. *Reason: To ensure the development accords with the aims and principles of the access and design statement and to ensure a high quality built development.*
3. Before the development hereby approved is first occupied the car park and manoeuvring space shall be constructed, marked out and made available for use and thereafter retained for car parking. *Reason: In order to ensure that the building has sufficient spaces to serve the building and that those spaces remain available for use thereafter.*