

**Item B. 5**                      **06/00218/COU**                      **Permit Full Planning Permission**

**Case Officer**                      **Mr David Stirzaker**

**Ward**                                      **Clayton-le-Woods West And Cuerden**

**Proposal**                              **Change of use from 10 bed residential dwelling to a special needs day school**

**Location**                              **Roselyn Wigan Road Clayton-Le-Woods Leyland PR25 5SD**

**Applicant**                              **Ms Sharon Damerall And Ms Kirsty Willacy**

**Proposal**                              This application proposes the change of use of a large detached residential property to a special needs day school. The property (Roselyn) is sited on the corner of Wigan Road and Moss Lane in the Green Belt to the west of the Clayton-Le-Woods settlement area. The school would cater for 40 pupils although they would not be on site at the same time due to attendance at vocational colleges.

**Applicants Case**                      The applicant has provided the following in support of the application: -

- There will not be any external changes only minor changes to the internal layout.
- It is anticipated that pupils will be referred from all over Lancashire, particularly Preston, Leyland and Chorley.
- Minor changes to the grounds, which comprise of the formation of a car parking area and the felling of trees to facilitate the car park.
- Additional planting is proposed to create picnic and play areas and mitigate noise disturbance.
- Vehicle traffic will not significantly increase and the use of MPV transport, car pooling and public transport will be encouraged.
- There will be no additional off site parking.
- No major environmental impact
- Local community benefit – it has been established that there is a local specialist learning school of this nature in the area. The majority of pupils will be from the local catchment area and there will potentially be 13 new jobs created comprising of teachers, learning support assistants, administration and auxiliary staff.
- The school will operate between the hours of 08:30 and 16:30 and only 38 weeks in the year.
- The applicants have significant experience in Special Needs Education and intend to manage the school as Head Teacher and Deputy Head Teacher.
- Pupils will only use the external recreation areas in good weather although there will be internal recreation space therefore limiting the amount of young people on outside activities.
- Pupils would be accessing local college facilities for vocational study hence there would not be 40 pupils in the school at any one time.

**Planning Policy** DC1 - Development in the Green Belt  
EP9 - Trees & Woodlands  
TR4 - Highway Development Control Criteria  
TR8 - Parking Provision Levels (Superseded by Policy 7 of Joint Lancashire Structure Plan 2001 – 2016)

**Planning History** 86/00607/COU - Change of use to rest home for six persons (permitted)  
  
99/00459/FUL - Single storey front extension (permitted)  
  
03/01194/COU - Change of use from residential rest home to private dwelling (permitted)

**Representations** Three letters of objection have been received, the contents of which can be summarised as follows: -

- Visitors will park on Moss Lane leading to leading to complaints followed by a proposal for more on site parking
- The site is not easily accessed by public transport and Wigan Road is extremely busy with no crossing point and no pavement on the west side adjacent to Roselyn
- There is no existing screening in place between the application site and the adjacent residential property and safety and security will therefore be a problem
- On pure educational grounds, the proposal appears to be superfluous
- A day school is not in keeping with the residential character of Moss Lane
- The applicant has underestimated the number of visiting vehicle which will park on Moss Lane leading to highway safety problems

**Consultations** Clayton-Le-Woods Parish Council have not made any comments on the application.

The Head of Environmental Services, the Highways Agency and CBC Highways have not raised any objections to the application.

LCC (Highways) have no objections to the proposal subject to a condition requiring the existing access onto Wigan Road being closed and the footway made up accordingly so as the access from Moss Lane become the only access to the site.

The Architectural Liaison Officer has not raised any objections to the principle of the proposal subject to improving the available natural surveillance of the car parking area.

The Council's Landscape Assistant has raised no objection to the principle of the proposal subject to clarification of how the play area will be surfaced, boundary treatment and clarification as to when trees will be removed.

**Assessment** As already detailed, there will be no external changes to the property and whilst a car parking area is being proposed, it will be well screened from public vantage points and the applicant proposes the use of grasscrete or similar to mitigate the visual

impact of the large area of hardstanding whilst a condition is recommended requiring additional landscaping where necessary. On this basis, it is considered that the proposal will not harm the character and appearance of the street scene as the property and site will retain its residential appearance.

In terms of residential amenity, the concerns of residents have been noted and a condition is recommended that requires the applicant to submit a scheme of boundary planting/fencing as and where required. It should also be noted that the Head of Environmental Services has not raised any objections to the proposal and to impose conditions requiring children only use a specific area of the grounds for breaks/play would be incredibly difficult to enforce. The property benefits from substantial grounds, which for the most part are well established and defined. Notwithstanding this, it should be borne in mind that the property was up until 2003 used as a nursing home whereby staff and vehicular movements would have undoubtedly been more spread throughout the course of a day due to the nature of the residential care requirements. Also, as the property comprises of 10 bedrooms and is currently in residential use, it can accommodate a substantial family with associated car ownership levels and domestic use/activity with the grounds and property.

In terms of the comments raised regarding highway matters, LCC (Highways) recommendations are the subject of an appropriate condition. The concerns of residents are noted in terms of on street parking, however, the level of parking being proposed is in line with LCC standards for the use being proposed subject to four of the spaces being made available for dropping off for which amended plans are currently being awaited along with details of a cycle and motorcycle parking space.

The comments of the Architectural Liaison Officer have been forwarded to the applicant to be addressed. The amended details will be reported in the addendum.

Condition are recommended covering boundary planting and fencing along with landscaping in general to reduce any impact from children utilising the grounds of the property although the site plan does specifically allocate an area of the garden as a play area which is away from the boundary with the nearest adjacent residential property.

In terms of the objection questioning the educational necessity for the proposal, the applicants supporting submission states that research has been undertaken to demonstrate that a need exists. There is no reason to doubt this given the applicant is clearly going to have to undertake investment into the proposal to make the property suitable for use as a special needs day school although LCC Education Department have been consulted hence if comments are received they will be reported in the addendum.

## **Conclusion**

On the basis of the above, it is considered that the proposal accords with the requisite planning policies hence it is recommended that the application be permitted subject to the recommended conditions.

## **Recommendation: Permit Full Planning Permission Conditions**

1. The premises shall be used as a special need day school only and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).

*Reason: To protect the amenities of local residents and in accordance with Policy No. DC1 of the Adopted Chorley Borough Local Plan Review.*

2. No development shall take place until a scheme of landscaping including the site boundaries has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail, which may be shown on the approved plans. 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 and indicate the types and numbers of trees and shrubs to be planted within the site and along its boundaries, their distribution on site, those areas to be seeded, paved or hard landscaped; details of the play area surfacing 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.*

3. 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.*

4. No development hereby permitted shall be undertaken until full details of how the car parking and vehicular manoeuvring areas will be surfaced has been submitted to and approved in writing by the Local Planning Authority.

*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 as superseded by Policy 7 of the JLSP 2001 – 2016.*

5. Prior to the use of the premises hereby permitted is first commenced, the car park and vehicle manoeuvring areas shall be surfaced, drained and marked out all in accordance with the approved details. 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 as superseded by Policy 7 of the JLSP 2001 – 2016.*

6. This permission does not imply or grant consent for any form of illumination to the car parking and vehicular manoeuvring areas.

*Reason : To define the permission and in the interests of the amenities of the occupiers of neighbouring properties and in accordance with Policy No. DC1 of the Adopted Chorley Borough Local Plan Review.*

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

*Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.*

8. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected to the site boundaries (notwithstanding any such detail shown on the approved plans) shall have been submitted to and approved in writing by

the Local Planning Authority. The property shall not be used pursuant to this permission before all walls and fences have been erected in accordance with the approved details. Fences and walls shall thereafter be retained in accordance with the approved details at all times.

*Reason: To ensure a visually satisfactory form of development, to protect the amenities of occupiers of nearby property and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.*

9. The existing access onto the A49 shall be physically and permanently closed and the existing verge/footway and kerbing of the closed vehicular crossing shall be reinstated in accordance with the Lancashire County Council Specification for Construction of Estate Roads prior to the property being used pursuant to the permission hereby granted.

*Reason: To limit the number of access points to, and to maintain the proper construction of the highway and in accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review.*

10. No more than 40 pupils shall be enrolled and taught at the special needs day school hereby permitted at any one time.

*Reason: To define the permission and in accordance with Policy Nos. DC1, TR4 and TR8 (superseded by Policy 7 of the Joint Lancashire Structure Plan 2001 – 2016) of the Adopted Chorley Borough Local Plan Review.*

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