

Item 4d **12/00697/DIS**

Case Officer **David Stirzaker**

Ward **Heath Charnock And Rivington**

Proposal **Application to discharge condition no. 4 (access junction details) of planning permission no. 11/00028/FULMAJ which permitted the change of use of pasture land to football pitches, the formation of a car park and the creation of a new access from Bolton Road**

Location **Land 150 Metres South Of Filter Beds Cottage Bolton Road Anderton Lancashire**

Applicant **Horwich St Mary's Football Club**

Consultation expiry: **9 August 2012**

Application expiry: **3 October 2012**

Proposal

1. This application is to discharge condition no. 4 (access junction details) of planning permission no. 11/00028/FULMAJ which Members will recall was approved at Development Control Committee on 24 May 2011 following the deferral of the application for a site visit. This application, submitted by Horwich St Marys Football Club, permitted the change of use of existing pasture land to create a sports field for 3 football pitches, formation of a new vehicular access off Scholes Bank and creation of a new car park.
2. Members will also recall that the application was approved on the basis that discharge of the junction details (condition no. 4) be brought back to Development Control Committee for approval.
3. There are other conditions attached to the planning permission but at the present time, the applicant is only applying to discharge the aforementioned condition. A further application to discharge the other outstanding conditions will need to be submitted before any works commence on the site.

Recommendation

4. It is recommended that the details submitted pursuant to condition no. 4 be approved.

Main Issues

5. The main issues for consideration in respect of this planning application are:
 - Background Information
 - Traffic and Transport

Consultations

6. **Lancashire County Council (Highways)** have confirmed that the proposed access junction details are acceptable and that an agreement is presently being prepared under S278 of the Highways Act 1980 to secure the implementation of the works to form the new access junction to the site.
7. In terms of the requirement for a Traffic Regulation Order set out in the condition, LCC (Highways) have advised that this is not an essential requirement to make the new access junction scheme acceptable.

Assessment

Background Information

8. Condition no. 4 requires the details of the new access junction to the site to be submitted to the Council for approval (in liaison with LCC Highways) in writing prior to any works commencing on site. These new access junction works will be secured by LCC (Highways) via an agreement under S278 of The Highways Act 1980 which is presently being processed by LCC.
9. Condition no. 4 is worded as follows: -
- Notwithstanding the details shown on the approved plans, no part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement, including a Traffic Regulation Order for a reduction in the speed limit along Scholes Bank (if deemed necessary by the Highway Authority - Lancashire County Council), has been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Highway Authority. The site access, off-site works to the highway and reduction in the speed limit (if deemed necessary as such by the Highway Authority) shall be completed prior to the first use of the football pitches and car park hereby permitted.
Reason: In order to ensure that the access, visibility splays alignment and width of carriageways is designed to meet the requirements of the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable in highway safety terms before work commences on site and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review.
10. The condition also includes a requirement for the speed limit along Scholes Bank to be reduced, if it is deemed necessary by the highways authority. However, LCC (Highways) have advised that whilst the reduction in the speed limited is a desirable element of the scheme, it is not deemed to be essential to make the junction scheme acceptable so on this basis, the junction details are considered to be acceptable without the reduction in the speed limit along Scholes Bank.

Traffic and Transport

11. LCC (Highways) have advised that the junction details proposed on the plans are acceptable and that a reduction in the speed limit along Scholes Bank is not essential to make the new access junction scheme acceptable. The works to form the junction will be secured by LCC (Highways) via an agreement under S278 agreement of The Highways Act 1980 which is at present being prepared by Lancashire County Council.

Overall Conclusion

12. In light of the comments from LCC (Highways), the details submitted pursuant to condition no. 4 are considered to be acceptable. The condition is also worded in such a way that it requires the junction to be completed prior to the first use of the football pitches and the car park to ensure that access to the site is safe for pedestrians and drivers.

Planning Policies

National Planning Policies:

NPPF (National Planning Policy Framework)

Adopted Chorley Borough Local Plan Review

Policies: GN5 / DC1 / EP4 / EP9 / EP18 / EP19 / EP20 / TR4 / LT12 / LT12

Supplementary Planning Guidance:

- Design Guide

Joint Core Strategy

Policy 22: Biodiversity and Geodiversity

Policy 24: Sport and Recreation

Policy 29: Water Management

Planning History

11/00028/FULMAJ - Proposed change of use of pasture land to create a sports field for 3 football pitches involving minimal cut and fill earthworks to create a level playing area together with an associated new vehicular access off Scholes Bank to serve a new car park – Permitted on 01/06/2012

Recommendation: Condition(s) discharged