

Item 4h **13/00072/FUL**

Case Officer **David Stirzaker**

Ward **Chorley South West**

Proposal **Change of use from Visitors Centre (sui generis) to a mixed use of Visitors Centre (sui generis) and A3 cafe, erection of a canopy to front entrance (4m x 2.5m) and additional flagged area to south and west elevations with drainage to perimeter to be connected to existing surface water system**

Location **Visitors Centre Yarrow Valley Country Park Birkacre Road ChorleyPR7 3RN**

Applicant **Mr Mark Lawrenson**

Consultation expiry: **18 April 2013**

Application expiry: **11 April 2013**

Proposal

1. This application seeks planning permission for the change of use of part of the Yarrow Valley Visitors' Centre to a mixed use comprising a café (Use Class A3) and visitors' centre. The application also proposes the erection of a canopy to the front entrance (4m x 2.5m) and the formation of an additional flagged area to south and west elevations of the building to provide outdoor seating space for cafe customers. The application is being reported to Development Control Committee as the site is Council owned and the applicant has not yet signed a lease for the property. The applicant has been selected to operate the café following a marketing exercise and selection process wherein several applications were submitted from interested parties with proposals to run a café in the park. As part of the proposal to run the café, within the building, there will be a continued provision of educational facilities and exhibition and information space within the Visitors' Centre, accommodation for the Rangers and access to the public conveniences for members of the public.
2. The visitors' centre is adjacent to the car park which serves Yarrow Valley Park, which is located at the southern end of Birkacre Road, Chorley. The existing building is single storey in nature and constructed with brick elevation and a metal sheet roof. Internally, the building currently includes a kitchen, ladies, gents and disabled WC's, a store room, a meeting room and a main visitor's room. The proposed layout retains the kitchen for use as part of the café and the main visitor's room will be partitioned off at the rear to form a quiet room whilst the main space will be changed to the café. The meeting room is detailed as a class room on the proposed plans and the store room behind this is to be retained.
3. The flagged area will flank the west and south facing elevations of the building and bi-fold doors are to be inserted to the classroom in the west facing elevation of the building. The new canopy is proposed over the main entrance which is in the west facing elevation. A retaining wall approximately 850mm high to the side and rear of the southern part of the new flagged area is also proposed.
4. The application forms state that the café will employ 2 full time and 4 part time staff and will open from 7:30am until 9:00pm every day of the week. The Design and Access Statement advises that the existing WC facilities will be retained and public access to the building will not change.

Recommendation

5. It is recommended that this application is granted conditional planning approval.

Main Issues

6. 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

7. No letters of objection have been received and no letters of support have been received.

Consultations

8. **The Architectural Design and Crime Reduction Advisor** does not raise any objections but recommends that consideration should be given to the canopy area being well lit and covered by a day/night capable CCTV camera, the installation of an alarm system and that the bi-fold doors are of enhanced security.
9. **The Director of People and Places** has not made any comments on the application.
10. **Lancashire County Council (Highways)** do not raise any objections to the application.

Assessment

Principle of the development

11. Policy LT8 of the Chorley Local plan Review states that development which would detract from the amenity value of the Valley Parks for recreation and wildlife, or which would prejudice the further implementation of the parks will not be permitted. Policy LT8 goes on to state that the development of the Valley Parks will be continued through restoration and enhancement schemes.
12. Policy LT14 of the adopted Local Plan states that ancillary development will only be permitted where specific criteria are met. These are that the development is (a) in connection with and will enhance the recreational and/or amenity value of the open space, (b) is of a size and scale which does not detract from the character of the open space, (c) it will not have a detrimental effect on any site of nature conservation value; and (d) the development will not affect land capable of forming, or forming part of, a sports pitch on the site.
13. In terms of the emerging Chorley Local Plan, Policy HW3: Valley Parks supports proposals to enhance the recreational value of the Valley Parks if it can be demonstrated that such enhancements would not detract from the amenity, recreational and wildlife value of the valley parks. Policy HW2 seeks to protect buildings currently used for purposes ancillary to recreation facilities.
14. With regards to the Framework, paragraph 28 provides broad support for sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations.
15. Taking into account the objectives of the above development plan policies, the change of use of part of the building to a café is considered to be acceptable 'in principle'. The provision of a café in part of the building will enhance the facilities available at Yarrow Valley Park and make it a more attractive place to spend time as refreshments and food will be available to park visitors.

Levels

16. The application proposes the formation of a hardstanding area to the front and side of the building to enable the provision of outdoor seating for customers of the café. The hardstanding at the side of the building will necessitate the need for a retaining wall approximately 850mm high as some excavation works will be needed to cut into the embankment and form a level area for the hard standing. These changes to the site levels are not however such that the character and appearance of the site will be detrimentally harmed subject to the retaining wall being constructed from appropriate materials.

Impact on the neighbours

17. There are no immediate neighbours adjacent to the building. The nearest residential property is located approximately 70 metres away to the west of the building. There are also mature trees between this property and the application building and this is the same for all other residential properties close to the building.
18. It is not considered that the operation of the proposed café would be likely to generate levels of noise and disturbance that would have a harmful impact on the living conditions of local residents given the relationship between the application property and nearby dwellings. The opening hours of the café are proposed to be 7:30am to 9:00pm. During the summer months, the park will be used throughout the day until hours of darkness although in the winter months, it is less likely that the park will be used after sunset. However, the opening hours are considered to be acceptable and as already stated, it is not considered that the proposed café will lead to levels of noise and disturbance that would harm the living conditions of the occupiers of the nearest residential properties.

Design

19. The only changes externally to the building comprise the entrance canopy and the insertion of bi-fold doors in the front elevation to the right hand side of the entrance canopy. These changes to the exterior of the building will not detract from its overall character and appearance and are ancillary in scale to the main building.
20. The Design and Access Statement advises that the entrance canopy will be finished in a brown colour to complement the existing windows in the building. The new hardstanding area will be surfaced with permeable buff coloured block pavements which it is stated will provide a tonal contrast with the dark gravel of the car park. A condition is recommended requiring the facing brickwork of the retaining wall to match that of the main building.

Trees and Landscape

21. The formation of a retaining wall at the side of the building will mean reducing the ground level and forming a low 850mm high retaining wall. The plans do not propose the removal of any trees adjacent to it although the trees nearest are young specimens which would not warrant the protection of a Tree Preservation Order. Given the embankment is well populated with trees, it is not considered necessary to require a scheme of landscaping for the land adjacent to the new area of hard standing at the southern end of the building.

Traffic and Transport

22. The site is served by an extensive gravel covered car park which provides car parking for visitors to the park. This car park is adjacent to the visitors centre. It is considered that the existing car parking facilities on the site are capable of sustaining the parking of vehicles on the site and any additional ones that may result from further visitors to the park, as a result of the enhanced facilities making it a more attractive place to spend time. Moreover, LCC (Highways) have not raised any objections to the application in terms of access and car parking.

Overall Conclusion

23. It is considered that the proposals are acceptable. The change of use is unlikely to cause detrimental harm to the amenities of local residents given the nearest property is located 70 metres away and the intervening distance contains mature trees.

24. From a highways perspective, the site has the benefit of an extensive car park which already serves the park and there are no objections from LCC (Highways). With regards to the changes to the building, there are no concerns with the design of the entrance canopy or the insertion of the bi-fold doors in the front elevation. Also, the hard surfaced area is immediately adjacent to the building and subject to suitable materials; this will not have a harmful impact on the visual amenities of the site and locality. The same can be said of the retaining wall.
25. The proposed café will also provide enhanced facilities in the park for visitors by enabling the purchase of refreshments and food and is considered to be in compliance with the objectives of the pertinent policies of the development plan, which seek enhancements to existing facilities and improvements to the valley parks.

Other Matters

Waste Collection and Storage

26. There is adequate space adjacent to the northern elevation of the building for bin storage and this will not change as a result of the proposals hence there are no issues with this element of the application.

Planning Policies

National Planning Policies:

National Planning Policy Framework (The Framework))

Adopted Chorley Borough Local Plan Review

Policies: GN5 / DC1 / TR4 / LT8 / LT14

Supplementary Planning Guidance:

- Design Guide

Joint Core Strategy

Policy 24

Publication Version of Chorley Local Plan

Policies ST4 / EP3 / BNE1 / BNE9 / HW2 / HW3

Planning History

00/00838/CB3 - Regulation 3 application for the construction of new visitor centre – Approved on 13 December 2000

96/00697/CB3 - Regulation 3 Application for the construction of Visitor Centre and provision of disabled parking spaces – Approved on 5 March 1997

94/00889/CB3 - Reclamation of derelict settlement tanks for nature conservation Approved on 13 March 1995

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 facing brickwork to the retaining wall shall match in colour, form and texture those on the existing building.**
Reason: In the interests of the visual amenity of the area in general and the existing building in particular.

- 3. During the construction period, all trees to be retained shall be protected by 1.2 metre high fencing as specified in paragraph 8.2.2 of British Standard BS5837:2012 at a distance from the tree trunk equivalent to the outermost limit of the branch spread, or at a distance from the tree trunk equal to half the height of the tree (whichever is further from the tree trunk), or as may be first agreed in writing with the Local Planning Authority. No construction materials, spoil, rubbish, vehicles or equipment shall be stored or tipped within the area(s) so fenced. All excavations within the area so fenced shall be carried out by hand.**
Reason: To safeguard the trees to be retained
- 4. The café hereby permitted shall only open between the hours of 7:30am to 9pm.**
Reason: In order to protect the amenities of the occupiers of nearby properties