

Item B. 5 **06/00908/OUT** **Permit Outline Planning Permission**

Case Officer **Mrs Wendy Gudger**

Ward **Chorley South West**

Proposal **Outline application for enhancement of shopping area to include use classes A1, A2, A3 and A5 and relocation of community centre**

Location **Land South Of Copper Works Wood West Of Gillibrand North And West Of South Clover Road Chorley**

Applicant **Taylor Woodrow Dev Ltd & Redrow Homes Lancashire Ltd**

Background A site development brief was finalised for this site over 10 years ago in June 1996. This first set out the principle of having a local centre near to what is now the Gillibrand Link Road comprising a shop site and community centre. A minimum of 700 square metres for the shop site was to be identified within the estate. This idea was firmed up in a subsequent Development Agreement (which included an approved community centre specification and design) and planning permissions granted in the late 1990s. Since the mid-1990s an Officer Working Group has overseen the Gillibrand Development with close involvement with the developers.

Proposal The application is in outline with matters of siting and means of access to be considered at this stage. Under the terms of the S.106 Agreement and Development Agreement the developers are obligated to provide shopping facilities and a community centre on the site. The initial location which had been previously agreed for both facilities was on the current vacant site close to the access of Gillibrand North and which is the proposed site for the shopping facility. It became clear several years ago that it would not be possible to fit both the shopping facility and community centre on the same site. An alternative position for the community centre which will incorporate changing accommodation for the adjoining playing pitches was therefore considered. The most appropriate position for the community centre was considered to be on the open space itself.

The current proposal is a centre completely re-designed to meet our community development and changing room requirements with more parking than previously proposed and sited in a more centrally located position to serve the spatially wider needs that were not envisaged in 1996.

The intention is that the community centre will be run by and for the local community, eventually becoming a base for social activities for older residents, pre-school activities, play projects, educational and training sessions, public meetings, hobbies groups, healthcare sessions,

fundraising events and birthday parties, at an affordable rate. There is nowhere else in the immediate area that can cater for all these types of activities

History

96/00727/CB4 Regulation 4 application for housing, outdoor play space, education facilities, local shopping and community building. Approved 17th July 1997

98/00301/REM Reserved matters application for site reclamation and erection of 505 houses including, garages, sewers, public open space, play areas, landscaping, community centre and shops. Approved 16th February 1999

Policy

GN5 Building Design
SP9 Local Shops on Housing Development Sites
PS2 Provision , Improvement and Protection of Community Centres and Village Halls
TR4 Highway Development Control Criteria

Consultee Responses

Director of Streetscene, Neighbourhoods and Environment;
A decision should be subject to the following

- A period of gas monitoring of at least 12 weeks to establish the rate of gas generation
- A geotechnical assessment to determine what foundations are required for the building
- Detailed design and specification of what gas protection measures would be needed
- A risk assessment from an environmental consultant
- Any long term monitoring or maintenance requirements
- The shop is within 50 metres of a landfill site and will require comprehensive construction design to prevent the ingress of landfill gas

Director of Leisure Services has commented that the development would bring a number of benefits:

- There would still be a fairly central "hub", which secured vital community facilities that would otherwise have been lost
- The Community Centre would actually be placed more centrally, and so able to serve both the developing Gillibrand community and the well-established one in the Buttermere area, avoiding the isolation that can happen when communities operate side by side without shared space or amenities.
- The proposed new site would bring the changing facilities in the Community Centre into a safer and more convenient location for the sports pitches, and also include better car parking facilities, which would help reduce the number of parked cars along the side of the pitches

- Community and voluntary activity is vital to the wellbeing of every neighbourhood -we need to ensure that we don't design this out of the area.

MAPS any comments received will be reported on the

Addendum.

LCC Highways has no objections in principle but has commented that a pedestrian refuge is needed at the entrance to the shopping area and the access to the car park should be reduced in width to 5.5 metres with 6m radii.

**Third Party
application.
Representations**

36 letters of objection have been received to the

Objections refer to:-

- The community centre will attract youths of this and other areas which will lead to anti social behaviour
- Increase in vandalism
- There are already problems of motorcross and mini bikes using the open area and this will make it worse
- Increase in noise
- The community centre will be built on a landfill site
- The area is already sufficiently served by community centres
- The community centre will change the character and outlook of the estate for the worse
- Similar community centres are damaged and fall into disrepair and do not make a positive contribution to the area
- The proposed shop is too big and is not in keeping with the residential area or Yarrow Valley Park
- There would be insufficient custom to make it a going concern
- The shops will need signage
- There are already sufficient shops close by
- The appearance of the buildings look plain like industrial units
- There is an issue of traffic and pedestrian safety with additional traffic and cars parked on the road
- Assurances have previously been given by the developers that the land would not be built on
- Views would be obstructed
- Developers never made many residents aware of the community centre and shop requirement
- The community centre is not wanted on the Gillibrand Estate

Assessment

The issues to be considered are the principle of the proposals, the impact on residential amenity, highway safety and building on the landfill site.

Principle of the Proposal

Planning permissions ref 96/00727/CB4 and 98/00301 have established the principle for the provision of the shopping site and community centre. The developers have a legal obligation to provide these facilities on site through the S.106 Agreement and Development Agreement. The siting for these proposal was to be on that piece of land adjoining the site entrance to Gillibrand North.

What became clear several years ago is that it would not be physically possible to provide the required amount of shopping floorspace and community centre with changing rooms with the associated car parking on one site. It then became necessary to consider alternative locations within the Gillibrand Estate. The current proposal is a centre re-designed to meet our community development and changing room requirements. The location that is now to be considered for the community site represents the most appropriate location in terms of accessibility and proximity to the playing fields and is more centrally located to serve the spatially wider needs that were not envisaged in 1996.

It is acknowledged that there have been letters of objection questioning the need for a further community centre. However the Community Development Officer has commented that there is a demand for the proposal and it has been located in a more appropriate position.

Impact on Residential Amenity

The shopping facility and community centre have previously been granted planning permission although the position of the community centre has now changed.

Both buildings will be single storey structures. The shop site is set at a slightly lower level than the adjoining apartment buildings to the south and are separated by the car parking area and access. Although there are no details of design included within this application it is not considered that there would be an impact on residential amenity.

The community centre is now to be located within the playing fields with a direct access from Arley Wood Way. The nearest residential property to the site is 14 Arley Wood Way which is located some 26.5 metres to the east. The site will be landscaped to blend the site into the areas of public open space.

The public open space is to be laid out as formal playing pitches. The open space will be dedicated to the Council when it is fit for purpose which is likely to be some time next year. At that time the pitches will be marked out.

Local residents have raised concerns relating to anti social behaviour which they consider will increase with the provision of the centre. The Community Development Officer considers that there is a requirement for the centre and this was planned into the development of the estate. Although there is no formal response yet from the MAPs

team they were consulted at the pre application stage and did not raise any objections to the proposal.

Highway Safety

LCC Highways have raised no objections to the development subject to the provision of the pedestrian refuge and reduction in width of the access to the community centre. Amended plans are to be provided showing this detail. The proposal would comply with policy TR4 of the Local Plan

Building on the Landfill Site

In principle it may be acceptable to build on the landfill site although this will be subject to appropriate monitoring and the inclusion of remediation measures in the design of the building. The proposed community centre although not a dwelling will be for community use and it is essential to protect future users of the building. The site is currently being monitored for gas and the early indication is that providing there are appropriate design measures incorporated within the proposed building it would be acceptable to build the community centre on the site. The application can be conditioned to require the provision of appropriate monitoring and design measures.

Conclusion.

The shop and community centre facilities have previously been granted permission by virtue of the earlier consents and the principle of their provision has been established. Changing circumstances have required officers to re consider the location of the community centre. The Community Development Officer considers that there is a requirement for the centre and the new site provides a more appropriate location for the centre. Clearly local residents have raised objections to the provision of both the shop site and the community centre. However as has been previously mentioned the principle was established by the previous permissions and the developers are obligated to provide the facilities on site. As such the proposal is considered to be in line with adopted policies of the Local Plan

Recommendation: Permit Outline 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 92 of the Town and Country Planning Act 1990.

2. Before the development hereby permitted is first commenced, full details of the following reserved matters design, external appearance and landscaping shall be submitted to and approved in writing by the Local Planning Authority.

Reason: The permission is in outline only and in accordance with Policy Nos. GN5, HS4, EM2 and TR4 of the Adopted Chorley Borough Local Plan Review.

3. The development hereby permitted shall not commence until samples of all external facing materials to the proposed building(s) (notwithstanding any details shown on

previously submitted plan(s) and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials.

Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5, DC8A, DC8B, HT2, HT3, HT7, HS4, HS9, EM3, EM4A and EM5 of the Adopted Chorley Borough Local Plan Review.

4. The development hereby permitted shall not commence until full details of the colour, form and texture of all hard ground- surfacing materials (notwithstanding any such detail shown on previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in conformity with the approved details.

Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policy Nos. GN5, DC8A, DC8B, HT2, HT3, HT7, HS4, HS9, EM3, EM4A and EM5 of the Adopted Chorley Borough Local Plan Review.

5. No development shall take place until:-

a) a scheme for monitoring landfill gas migration has been submitted to and approved in writing by the Local Planning Authority;

b) all monitoring specified in the approved scheme (submitted under a) above), has been carried out and the results of the monitoring exercise, together with recommendations and specific proposals to render the site capable of development for housing have been submitted to the Local Planning Authority; and

c) the Local Planning Authority has given written approval to the development proceeding having regard to the results of the monitoring exercise and the recommendations and proposals submitted under b) above), and the carrying out of any required works in a manner and to a timetable to be agreed in writing with the Local Planning Authority. Upon completion of the works of remediation and treatment, a Validation Report shall be submitted to the Local Planning Authority.

Reason: In the interests of safety and in accordance with Policy No. EP16 of the Adopted Chorley Borough Local Plan Review.

6. Before the development hereby permitted is first commenced, full details of the measures to be incorporated into the development to prevent the ingress of landfill gas shall be submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall only be constructed in accordance with the approved scheme of landfill gas ingress prevention measures.

Reason: To protect occupiers from the ingress of landfill gas and in accordance with Policy No. EP16 of the Adopted Chorley Borough Local Plan Review.

7. No development shall take place until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail which may have previously been submitted. 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; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; 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.

8. 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.

9. The community centre hereby approved shall be used for no other purpose within Class D1 of the Town and Country Planning Use Classes Order 1987.

Reason: In the interests of residential amenity and in accordance with policy PS9 of the Adopted Chorley Borough Local Plan

10. The community centre shall not be open after 10pm on any day.

Reason: To protect the residents of nearby residential properties and in accordance with policy EP20 of the Adopted Chorley Borough Local Plan.

11. The larger retail unit shown on the submitted plans shall only be used as a shop and for no other purpose within Class A1 of the Town and Country Planning Uses Order 1987.

Reason: The use of that unit for any other purpose may not be appropriate and the Local Planning Authority requires the opportunity to consider any changes in use.
