

Item 3G **14/00480/FUL**
Case Officer **Iain Crossland**
Ward **Whittle Le Woods Ward**
Proposal **Change of use of part of play area to car parking**
Location **Whittle-le-Woods Village Hall**
 Union Street
 Whittle-Le-Woods
 Chorley
 PR6 7LN

Applicant **Whittle Le Woods Community Hall Trust**
Consultation expiry: **05 June 2014**
Decision due by: **08 July 2014**

Delegated		Delegated following Chairs Brief		Committee	
Date: 19 th August 2014					

	Case Officer	Authorising Officer
	IC	
Date	12 th August 2014	

Recommendation

It is recommended that this application is approved subject to conditions.

Executive Summary

The main issues to consider are the loss of open space, impact on the play area and equipment and highway safety. As assessed below the proposals are considered to be acceptable when assessed against the relevant criteria.

Representations

Whittle Le Woods Parish Council - While the Parish Council isn't opposed in principle to the additional spaces (in fact, the need for additional parking is undoubted), some reservations regarding practicality were raised. For example, the safety of children must be paramount and it was felt that the newly positioned gate might be too close to the Chorley Old Road junction. Regarding the spaces themselves - the access of cars for residents and for car users is a major issue, and the manoeuvrability of the cars was considered. Would there be restrictions on these spaces to mean only village hall customers could use them? It was felt that the positioning of spaces could be a problem when it comes to manoeuvrability.

In total 4 representations have been received which are summarised below

Objection	Not specified
Total No. received: 3	Total No. received:1
<ul style="list-style-type: none"> • Loss of play equipment – these should be retained on another part of the site. • Loss of open space. • There may not be enough space for the number of spaces shown on the plans. • The maintenance gate for the open space could become blocked. • There are no parking problems and the money should be put to better use. • Highway safety • Street lighting • Land to the rear would be a better alternative. • Horrendous parking issues caused by the visitors to the village hall • Request that a painted white 'T Bar' is installed by the Council (at the Council's cost) on the road way at the dropped kerb to 33 Chorley Old Road, which will certainly help with our parking issues. This will ensure our drop kerb is not parked upon by the unwanted. 	<ul style="list-style-type: none"> • There are parking issues resulting from the hall not having enough parking, which the proposal will help, but this proposal may not provide enough parking. • Concerns over safety to users of play area.

Consultees

Consultee	Summary of Comments received
LCC Highways	No objections to the proposal. Each space should be of size 2.4m x 4.8m and the overall layout should be such that vehicles do not project onto the footway when parked. The parking area should also be hard paved to prevent dirt and mud being carried onto the highway.
Chorley Council Parks and Open Space	No comments have been received.

Assessment

The Site

1. The application site is a Council owned play area located close to the Village Hall at Whittle Le Woods. This is within the core settlement area.
2. The application site is an allocated open space. It is a grassed area with scattered play equipment and landscaping to the boundary with Chorley Old Road.

The Proposal

3. It is proposed to remove and replace the boundary fence adjacent to Union Street and resurface the grassed area with tarmac extending 4.8m into the site and around 37m in length along Union Street. The kerb would be dropped to allow direct vehicular access onto Union Street, crossing the pedestrian pavement.

Assessment

The main issues are as follows:-

Issue 1 – Loss of Public Open Space

Issue 2 – Impact on character and appearance of the locality

Issue 3 - Impact on highways/access

Issue 4 – S106

Principle of the Development

4. The Inspector has issued her Partial Report on her findings into the soundness of the Chorley Local Plan, which is a material consideration in the consideration of any planning application.
5. In summary, the plan is considered to be legally compliant. In relation to soundness, the plan is considered sound, with the exception of matters relating to Gypsies & Travellers. The examination of the local plan remains open, and the Inspector will reconvene the examination later in 2014 to consider Gypsy & Traveller Matters, which would enable adoption of the local plan, following a supplementary report.
6. Paragraph 18 of the Partial Report states: "For the avoidance of doubt, the Plan may not be adopted until it has been changed in accordance with all of the main modifications set out in the Appendix to this partial report and any which may be specified in the Appendix of my forthcoming supplementary report. However, because of the very advanced stage in the examination process that the main modifications set out in the attached Appendix have reached, significant weight should be attached to all policies and proposals of the Plan that are amended accordingly, where necessary, except for matters relating to Gypsies and Travellers." The Council accepted the Inspectors modifications for Development Management purposes at its Executive Committee on 21st November 2013.
7. It is therefore considered that significant weight can be given to the policies and proposals of the emerging Local Plan, as amended by the main modifications.
8. Policy HW2 of the Chorley Local Plan 2012 – 2026 states that land and buildings currently or last used as, or ancillary to, open space or sports and recreational facilities will be protected unless certain criteria can be met. These are assessed below.
9. This approach is reflected and supported in the National Planning Policy Framework (The Framework).

Loss of Public Open Space

10. The proposal involves the loss of a small part of land allocated as open space under Policy HW2 in the Local Plan. Policy HW2 protects all existing open space, sport and recreational facilities and requires alternative provision to be made under criterion a) of the policy unless the proposal satisfies all of criteria b) to e). The proposal is assessed against these criteria below:

11. *b) It can be demonstrated that the loss of site would not lead to a deficit of provision in the local area in terms of quantity and accessibility;*
The site falls within the open space typology of provision for children and young people. There is currently a surplus of provision of this typology in Whittle-le-Woods and the loss of this small part of the site will not result in there being a deficit therefore the proposal meets this criterion.
12. *c) The site is not identified as being of high quality and/or high value in the Open Space Study;*
The site is identified as being of high quality and high value in the Open Space Study therefore the proposal fails this criterion. As the proposal results in the loss of high quality open space this is contrary to criterion c.
13. *d) It can be demonstrated that retention of the site is not required to satisfy a recreational need in the local area;*
The site is an important recreational facility in the area and is needed to meet the required amount of this typology of open space in the settlement, however, provided the proposal does not result in the loss of recreation at this site then the proposals comply with criterion d. This is assessed below.
14. *e) The site does not make a significant contribution to the character of an area in terms of visual amenity;*
The site does make a significant contribution to the character of the area in terms of visual amenity, but the proposal only involves the loss of a small part of the site, which will have little impact on the visual amenity of the site and meets this criterion.
15. The proposal fails criterion c) therefore in order to satisfy this policy alternative provision is required under criterion a). The policy requires that this provision is provided nearby before the existing facilities cease to be available. A site investigation identified that three pieces of play equipment would be affected by the proposal and therefore in order for the proposal to be considered acceptable in relation to policy HW2 of the Local Plan the equipment must be replaced or repositioned elsewhere on the site. It is considered that there is adequate space to enable this, and it is therefore recommended that a condition be attached requiring the submission of a scheme detailing the removal and replacement, or repositioning, of the affected play equipment prior to the commencement of development.
16. The loss of open space identified within this proposal is considered acceptable in relation to policy HW2 of the Local Plan as the site is small, not of significant character, there is surplus provision in the area and the functionality of the site can be sustained through the removal and/or replacement of play equipment.

Impact on character and appearance

17. The visual impact of the proposal would be most noticeable in terms of the boundary moving 4.8m into the site. This would have a low impact on the character and appearance of the locality. As a result it is considered that the impact upon the character and appearance of the site is acceptable.

Impact on highways/access

18. The proposal would provide additional parking spaces for the users of Whittle Le Woods Village Hall on a strip of open space opposite the Village Hall. This would require a dropped kerb running 37m in length along the south side of Union Street, which is a vehicular highway with no through access.
19. As a result there would be direct vehicular access to the parking spaces with vehicles crossing the pedestrian footpath between the road and spaces themselves. This was considered to be an acceptable method of access by LCC Highways.

20. Currently the demand for car parking spaces at the hall outweighs the supply, particularly during busy periods in the evenings. This results in cars being parked on Union Street and surrounding streets taking up pavement space and causing pedestrian conflict. This presents a safety hazard and improved levels of off street parking would help to alleviate this issue.

S106 Requirement

21. The proposal involves the loss of a small part of land allocated as open space under Policy HW2 in the Local Plan. Policy HW2 protects all existing open space, sport and recreational facilities and requires alternative provision to be made under criterion a) of the policy unless the proposal satisfies all of criteria b) to e).
22. The proposal would have a very limited impact on the functionality of the play area itself, and it is recognised that the three pieces of play equipment affected by the development could be replaced on a different part of the site. It is recommended that a condition is attached requiring the removal and replacement, or repositioning, of the affected play equipment prior to the commencement of development.
23. The Village Hall is a valuable community asset that is well used for a variety of activities by all sections of the local community. It currently suffers from a lack of parking to meet the demand. Although some public open space would be lost as a result of the proposal this would be balanced by the contribution made to the viability of this important community asset through securing a reasonable level of vehicular access.
24. The increased parking provision would help to alleviate the existing pressure for on street parking, which currently presents safety issues and pedestrian conflict during busy times at the Village Hall. This proposal would therefore result in a benefit to highway safety.
25. It is also noted that Chorley Council is willing to dispose of this part of the site to Whittle Le Woods Village Hall Trust. It is the Council's intention to carry out improvements to this site and at other areas of Public Open Space in Whittle Le Woods. On this basis Chorley Council considers that the area of land identified by this proposal is surplus to requirements and its loss will be offset by improvements made on site and at nearby site.
26. On the basis of the benefits to the community provided by the Village Hall and the positive contribution that this proposal would make in supporting the viability of the hall, improved highway safety, limited impact on the functionality of the site and the Council's willingness to dispose of the site, it is not considered that the payment of a s106 contribution is required on this occasion.

Other Matters

27. The maintenance gate for the open space could become blocked: The parking will be mostly used in the evenings, whereas maintenance is in the daytime. Access for maintenance is therefore not considered to be an issue.
28. Street lighting: This would be retained within the proposal.
29. Land to the rear would be a better alternative: This land does not form part of the proposal and was not available at the time of the application. It is noted, however, that a proposal for car parking to the rear of the Village Hall has been received (app. ref.14/00803/FUL) and each planning application must be considered on its individual merits.
30. Request that a painted white 'T Bar' is installed by the Council (at the Council's cost) on the road way at the dropped kerb to 33 Chorley Old Road: This is not considered to be an impact that would result through this proposal. Any works to the highway are a private matter between residents and LCC Highways. Chorley Council has no powers to carry out works to the highway.
31. There may not be enough space for the number of spaces shown on the plans: The number of car parking spaces can be altered without the need to apply for planning permission, however, no space should be less than 2.4m in width as specified on the plans.

Overall Conclusion

32. The proposed development would support the viability of the Village Hall and would improve highway safety. There would be no impact on the amenity of neighbouring occupiers or the overall appearance and character of the area. Although a small part of the protected open space would be lost the impact is considered acceptable. On the basis of the above, it is recommended that planning permission be granted.

Planning Policies

33. In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Borough Local Plan Review 2003 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the proposals has had regard to guidance contained with the National Planning Policy Framework (the Framework), the development plan and the emerging Local Plan 2012-2026. The specific policies/ guidance considerations are contained within the body of the report.

Planning History

Ref: 11/00810/FUL Decision: PERFPP Decision Date: 24 October 2011
Description: Erection of solar panels on south facing roof pitch.

Ref: 14/00803/FUL Decision: PCO Decision Date:
Description: Creation of over flow car-park for village hall on former storage yard

Suggested Conditions

No.	Condition								
1.	<p>The proposed development must be begun not later than three years from the date of this permission.</p> <p><i>Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.</i></p>								
2.	<p>The approved plans are:</p> <table><tr><td>Title</td><td>Received On:</td></tr><tr><td>Location Plan</td><td>29 April 2014</td></tr><tr><td>Proposed Site Plan</td><td>23 June 2014</td></tr><tr><td>Proposed pedestrian gate position</td><td>08 August 2014</td></tr></table> <p><i>Reason: To define the permission and in the interests of the proper development of the site.</i></p>	Title	Received On:	Location Plan	29 April 2014	Proposed Site Plan	23 June 2014	Proposed pedestrian gate position	08 August 2014
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Location Plan	29 April 2014								
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3.	<p>No development shall take place until a scheme detailing the removal and replacement, or repositioning, of the affected play equipment has been submitted to and approved in writing by the Local Planning Authority. The scheme shall indicate all existing play equipment on the site; detailing those to be retained, and those to be replaced or repositioned; details of any new equipment types shall be provided, and the future positioning of equipment in relation to the approved parking scheme.</p> <p><i>Reason: In the interests of the amenity of the area</i></p>								