

Item 31	15/00469/FUL
Case Officer	Adele Hayes
Ward	Chorley South East
Proposal	Change of use from retail (Class A1) to mixed retail and cafe use
Location	Wild Orchid 11 Market Walk Chorley PR7 1DE
Applicant	Mr Graham Read
Consultation expiry:	30 June 2015
Decision due by:	9 July 2015

Recommendation

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

Proposal

1. This application relates to an existing retail unit located within the Primary Shopping Area in Chorley Town Centre. It is faced with cream and burgundy tiles and has large windows and signage typical of a contemporary retail unit.
2. Planning permission is sought to change the use of the unit from retail (Class A1) to mixed retail and cafe use. The submitted plans indicate that 24 covers will be provided on the ground floor towards the rear of the unit. No elevational alterations are proposed.

Representations

3. The application has been publicised by way of individual letters sent to the occupiers of neighbouring premises and a site notice has been displayed. As a result of this publicity no representations have been received.

Consultations

4. Environmental Health – no objections have been raised

Assessment

Principle of the Development

5. The National Planning Policy Framework (The Framework) is strongly in support of proposals that enhance the vitality and viability of town centres.
6. This is complemented by Central Lancashire Core Strategy Policy 11 which seeks to maintain and improve the vitality and viability of Chorley Town Centre by supporting a range of retailers and services as well as improving the centre's appearance.

7. The emerging Local Plan 2012-2026 allows for restaurants and cafes uses in the Primary Shopping Area of the town centre in recognition of the fact that a proportionate amount of complementary non-A1 activities (such as food and drink outlets e.g. cafes and restaurants) can make a positive contribution to the street scene, support vitality and viability of shopping areas and encourage the continued use of the town centre outside normal shopping hours.
8. Policy EP6 of the emerging Local Plan 2012-2026 states that Class A3 use (restaurants and cafes) will be permitted in circumstances where they do not adversely impact either individually or cumulatively, on the function, vitality and viability of the Primary Frontage.
9. It is considered that the proposed use will contribute positively to the character of the area creating vitality.

Impact on neighbour amenity / noise

10. The application site is located within the town centre away from residential properties. As such there would be no adverse impact on any residential properties as a result of the change in use through noise, smells or disturbance.

Highway safety

11. There is no car parking proposed as part of the application, however, the application site is in a highly sustainable location and accessible to a large number of people via a range of different transport modes. Furthermore, there are a number of car parks within close proximity.

Overall Conclusion

12. The proposed development will contribute to the vitality and viability of Chorley Town Centre. There is unlikely to be any detrimental impact on the amenity of neighbouring occupiers or the appearance and character of the area. In addition the development is located in a highly sustainable location. On the basis of the above, it is recommended that planning permission be granted.

Planning Policies

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.

Note on the Emerging Chorley Local Plan 2012-2026

In October 2013, the Local Plan Inspector issued her partial report on the findings into the soundness of the Chorley Local Plan 2012-2026 which is a material consideration in the consideration of any planning application. 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 and Travellers.

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 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 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 Local Plan Inspector’s modifications for Development Management purposes at its Executive Committee on 21st November 2013. It is therefore considered that

significant weight can be given to her report, and to the policies and proposals of the emerging Local Plan, as amended by the main modifications.

Further consideration has been given to matters relating to Gypsies and Travellers, and the Local Plan Inspector's Supplementary Report on Gypsy and Traveller and Travelling Showpeople was issued (8 May 2015) and it concludes that the part of the Chorley Local Plan dealing with Gypsy and Traveller and Travelling Showpeople policy and site allocation is also sound, providing a number of main modifications are made.

Suggested Conditions

No.	Condition
1.	The proposed development must be begun not later than three years from the date of this permission. <i>Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.</i>
2.	The approved plans are: Plan Ref. Received On: Title: n/a 14 May 2015 Proposed <i>Reason: To define the permission and in the interests of the proper development of the site.</i>

Planning History

The site history of the property is as follows:

Ref: 14/00932/ADV Decision: PERADV Decision Date: 9 October 2014
Description: Proposed new internally illuminated fascia sign