

Item B. 7 07/00413/CB4 Permit Full Planning Permission

Case Officer Miss Lyndsey Cookson

Ward Coppull

Proposal Erection of ground floor retail unit with first floor one bedroom flat above,

Location 240 - 242 Spendmore Lane Coppull Chorley PR7 5DE

Applicant Chorley Borough Council

Proposal: This application proposes the erection of a two-storey building to accommodate a ground floor retail unit with first floor one bedroom flat above. The application site is located within a mixed residential and commercial area, and currently comprises of vacant land. The application has been submitted by Chorley Borough Council.

Background: The site was previously occupied by two dwellings, which were classed as structurally unfit in 1993, acquired by the Council in 1994, and demolished. The site has been vacant since.

Policy: GN1: Settlement Policy – Main Settlements
GN5: Building Design
HS6: Housing Windfall Sites
SP6: District, Neighbourhood and Local Shopping Centres
SP10: Shopfronts
Supplementary Planning Guidance – Design Guidance

Planning History: There have been no previous planning applications at the site.

Consultations: **LCC Highways** – No objection.
CBC Environmental Services – No objection in principle. Recommends details are provided of noise insulation works to be completed.
CBC Planning Policy – No objections. The proposal meets the criteria within Policy SP6 regarding retail uses outside District, Neighbourhood and Local Shopping Centres.
CBC Legal Services – The title deeds for the owner of no.244 give a right of access to this property across numbers 240 and 242. Unfortunately this right of access wasn't shown by reference to a plan. The owner of this property has produced his own plan, which indicates that the right of access cuts across the rear yards of numbers 240 and 242. This may or may not be the case. However, this access will not hinder the proposed development. Not aware of any other 'legal' issues which would impact on implementation of the development should planning permission be granted.

Representations: One letter of objection has been received. The comments raised can be summarised as follows:

- The land is the only form of access to the rear of the adjacent dry cleaning business, and if planning permission is granted, there will be no guaranteed

access for equipment and removal of waste chemicals etc.

- Any building work will have a detrimental effect on the adjacent business.

Assessment:

The application site lies within the main settlement of Coppull, in which there is a presumption in favour of appropriate development.

Issues to consider are impact on housing provision, design, impact on street scene, impact on neighbour amenity, impact on highway safety and impact on the adjacent local shopping centre. I will address each in turn.

Housing Provision

Policy HS6: Windfall Housing Sites in the Chorley Borough Council Local Plan Review is a relevant consideration when assessing the provision of additional residential units. CBC Planning Policy do not consider that the overall housing requirement of the Structure Plan for Chorley Borough would be materially exceeded as a result of the grant of planning permission.

Design

The building design must be well related to the surroundings, as stated in policy GN5.

The proposed building will be two-storey, and measure 8.4 metres in length by 7.1 metres in depth. It will have an eave height of 4.9 metres and a ridge height of 7.6 metres. The building will tie in to the gable end of the adjoining commercial premises, mirroring the eave and ridge height. It will be constructed from bricks and have a tiled roof.

The front elevation will comprise a shop front window with access to the retail unit and a separate access to the flat above at ground level and two windows at first floor level. The rear elevation will comprise three windows and rear access to the retail unit at ground floor and three windows at first floor level. The gable elevation will be blank. It is likely that some form of advertising will be required and this will be subject of a separate application.

The scale of the building is considered to be in keeping with the scale and proportions of adjacent commercial and residential buildings. The building can be comfortably accommodated within the size of the plot, leaving a distance of 1.6 metres from the gable end to the adjacent residential property, and a garden length of at least 8.5 metres to the rear.

Impact on street scene

The front of the building will be set back from the highway by 0.7 metres, in line with the front of the adjacent commercial buildings. The building has been designed to mirror the bulk, scale and materials used on the adjacent units, so it will not appear prominent against existing buildings or out of keeping with the existing street frontage, which does comprise of a number of retail units.

A visual gap will be retained between the building and the row of residential properties, to prevent a continuous frontage.

The design of the shopfront is considered to be appropriate for this locality, which comprises of a number of modern shop frontages.

Impact on neighbour amenity

To the east of the application site there is a short row of residential properties, and there is a pair of semi-detached houses opposite the site. It is not considered that the scale of activity generated by the development will be detrimental to these adjacent properties in terms of noise and disturbance. Should permission be granted for the development, then details of noise insulation works to be completed would be required under the Building Control Regulations.

The proposal will be stepped forward from the closest adjacent property, no. 238, which does not have any windows in the side elevation facing the proposed building. There would not be any adverse overbearing impact, loss of light or outlook for the occupiers of this property. There would be some resultant overlooking into the rear garden area of this property from the first floor windows in the rear elevation, however given the high-density, urban character of the area, and that this neighbouring property is a terraced so its garden is visible from adjoining properties, this is not considered to be detrimental.

The proposal would be sited approximately 12 metres from the windows in the facing semi-detached properties. Whilst this would not accord with the Council's interface guidelines, given that the building will be sited within a high density urban setting, and a road separates the facing properties from the site, there is not considered to be any resultant adverse overlooking.

There are no residential properties immediately to the north (rear) of the site; this area includes an access road and school beyond.

Impact on Highway Safety

There is no proposed off-street parking on site for either the residential or retail units. However, given the relatively central location of the proposal, off-street parking is not considered to be necessary. The site is accessible by public transport.

It is not considered that the proposal would have an adverse impact on highway safety, which is re-affirmed by Lancashire County Council Highways Department who have no objections to the proposal.

Impact on Local Shopping Centre

The proposal falls outside of the designated shopping centre for Coppull. However, the retail activity generated would be small-scale, and would not adversely impact on the vitality and viability of the nearby centre.

Private Access Arrangements

A right of access to no. 244 across numbers 240 and 242 has been referred to in the application submission, which is to be integrated into the scheme if necessary. This issue is also referred to in comments received from the owner of no. 244. Retention of a private access is not a planning consideration, and therefore does not affect the recommendation. However, as the Council is the

applicant, Legal Services were consulted on the legal issues in connection with this access (see response above). It is not considered that this issue would hinder implementing the proposed development should planning permission be granted.

Conclusion: The proposal is acceptable in terms of housing provision, design and appearance, impact on street scene, neighbour amenities, highway safety and the local shopping centre

I accordingly recommend the application for approval subject to a number of conditions. A section 106 legal agreement is not required in connection with the first floor residential unit, as this is a one bedroom flat.

**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 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall not commence until samples of all external facing materials to the proposed buildings (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 No. GN5 of the Adopted Chorley Borough Local Plan Review.

3. Before the development hereby permitted is first commenced full details of existing and proposed ground levels and proposed building slab levels (all relative to ground levels adjoining the site) shall have been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on previously submitted plan(s). The development shall only be carried out in conformity with the approved details.

Reason: To protect the appearance of the locality, in the interests of the amenities of local residents and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

4. 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.

5. 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.

6. 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.

7. No materials or equipment shall be stored on the site other than inside the building.

Reason: In the interests of the amenity of the area and in accordance with Policy No. EM2 of the Adopted Chorley Borough Local Plan Review.

8. Before development commences full details of the type and location of bin storage facilities will be submitted to and approved by the Local Planning Authority. Such details as approved shall be implemented in full prior to the first occupation of any part of the development and retained thereafter.

Reason: In the interests of residential amenity and in accordance with policy GN5 of the Adopted Chorley Borough Local Plan Review.

9. Before development commences full details of the proposed boundary treatments shall be submitted to and approved by the Local Planning Authority. Such details as approved shall be implemented in full prior to the first occupation of any part of the development and retained thereafter.

Reason: In the interests of visual amenity and in accordance with policy GN5 of the Adopted Chorley Borough Local Plan Review.
