

**Item B. 1**                      **07/00191/OUT**                      **Outline App Permitted with Legal Agmnt**

**Case Officer**                      **Mr Andy Wiggett**

**Ward**                                      **Chorley South East**

**Proposal**                              **Outline Application for the erection of 2 semi-detached residential dwellings,**

**Location**                              **Chorley Valeting Services 86 Anderton Street Chorley PR7 2AZ**

**Applicant**                              **Knowles Way Properties**

**Proposal**                              The application relates to a vacant commercial building in a mixed use area close to Chorley town centre. On either side of the building are terraced houses and to the rear a car park associated with commercial property on Cunliffe Street. Across the street is the site of a planning application for two houses no.07/00199/OUT which is reported elsewhere on the agenda. The area has been the subject of a traffic management scheme with one way systems and footway build outs.

**Policy**                                      In the Local Plan the area is designated as an Established Housing Area, Policy HS22. Policy HS6 on Housing Windfall sites and its criteria are relevant as well as HS4 on the design and layout of residential areas. As a former employment site, Policy EM9 is applicable and the SPG concerning proof of marketing for sites to be redeveloped for non-employment uses.

**Planning History**                      In 2005, planning permission was refused for an outline application for residential development. The reasons were, contrary to the SPG on Windfall Housing Sites and Local Plan and Structure Plan policies. This was subsequently appealed and the appeal dismissed on the same grounds.

**Consultations**                              Lancashire County Council Highways – No objections.  
Environment Agency – Need to attach a condition requiring a desk top study of possible contamination given its previous use.

**Representations**                      One letter of support has been received stating that it will improve the character of the environment and remove a trade building in an area which is mainly residential. Minor reservations concerning the loss of the building the rear of which acts as a back wall to their property and so must get a form of development which retains their privacy and security. Concerned about lack of off street parking as there is limited residents' only parking.

**Applicants Case**

- The development will respect the tight nature of the surrounding residential area and not compromise the neighbouring built form.
- It has not been possible to find suitable tenants as the site is in the wrong location for business purposes.
- Residential use of the site is more appropriate and better for the local environment.

## Assessment

The main issues are considered to be; compatibility with Local Plan policy and affect on neighbour amenity. Each is dealt with in turn:

### *Local Plan Policy*

The revised explanatory note on Managing Housing Land Supply in Chorley Borough June 2007 now allows windfall developments of up to 10 dwellings so long as the relevant criteria are met. These involve design issues so that the site is compatible with its surroundings, that it will not compromise the amenity of residents, safe access can be provided and the site is accessible to employment, shops and community services by non-car modes.

This application is in outline form but indicates a building footprint which is for two dwellings which completely fill the site with about a metre from each of the side boundaries. The rear gardens would be 5m to the boundary of the car park. There is no off street parking indicated. The supporting statement says that the site would not be able to accommodate on site parking and the applicants have been requested to address this issue. They have responded by stating that the site is in a sustainable town centre location where the advice in PPS1 and PPS3 is that it is unreasonable to insist on car parking. The County Highway Authority have confirmed that they have no objection to the scheme and that occupiers of the houses will have to apply for a residents parking permit as others in the street.

There will be a distance of 12m to the property opposite and the applicant has referred to the new Manual for Streets as justification for why this is acceptable. The document sets out various design parameters indicating typical widths for streets where a mews can have frontages 12m away from each other.

The site is located close to the town centre and all its facilities together with the transport interchange.

The applicants have indicated that in accordance with Policy EM9 marketing of the site indicates that there is no realistic prospect of it being re-used for employment purposes.

### *Neighbour Amenity*

Policy HS22 is concerned to retain housing use in Chorley town centre and it is considered that in this instance this policy should take priority over the requirements of Policy EM9 which seeks to obtain the reuse of employment sites as the building has terraced houses on either side. The property across the road is the subject of an application for residential development and taken together this would result in an improved environment with potentially reduced vehicle movements and amenity problems.

## Conclusion

The site is considered suitable for residential redevelopment and this would result in environmental benefits for the residents of the area, especially if planning permission is granted for the site across the street.

**Recommendation: Outline App Permitted with Legal Agmnt 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 namely, 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 and TR4 of the Adopted Chorley Borough Local Plan Review.*

3. No development approved by this permission shall be commenced until a desk study has been undertaken and agreed by the Local planning Authority to investigate and produce an assessment of the risk of the potential for on-site contamination. If the desk study identifies potential contamination a detailed site investigation should be carried out to establish the degree and nature of the contamination and its potential to pollute the environment or cause harm to human health. If remediation measures are necessary they will be implemented in accordance with the assessment and to the satisfaction of the Local Planning Authority.

*Reason: to ensure a safe form of development that poses no unacceptable risk of pollution to water resources or to human health.*

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