

Item B. 2	07/00199/OUT	Outline App Permitted with Legal Agmnt
Case Officer	Mr Andy Wiggett	
Ward	Chorley South East	
Proposal	Outline application for erection of residential dwellings.	
Location	Chorley Valeting Services 101 Anderton Street Chorley PR7 2AY	
Applicant	Knowles Way Properties	
Proposal	<p>The application relates to a vacant commercial building and associated car park in a mixed use area close to the town centre. One side of the property is a beauty parlour and on the other side and to the rear is modern housing. Across the road are Victorian terraced houses. The area has been the subject of a traffic management scheme with one way systems and pavement build outs.</p>	
Policy	<p>In the Local Plan, the area is designated as an Established Housing Area Policy no. 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.</p>	
Planning History	<p>In 2005, planning permission was refused for an outline application for residential use. The reasons were, contrary to the SPG on Windfall Housing Sites and Local Plan and Structure Plan housing policies. This was subsequently appealed and the appeal dismissed.</p>	
Consultations	<p>Lancashire County Council Highways – No objections</p> <p>Environment Agency – Need to attach a condition requiring a desk top study of possible contamination given its previous use.</p> <p>Coal Authority – standard comments.</p>	
Representations	<p>Two letters of objection have been received raising the following issues:</p> <ul style="list-style-type: none"> • Any replacement building will cause loss of light and privacy • Demolition will cause disturbance and risk as there is an asbestos roof. • Planning permission has been refused once for the site and should be refused again. • Concerned that there are bats in the roof space and that mature trees might be felled. 	

Argument put forward by the applicant

- The development will respect the tight nature of the surrounding residential area and not compromise the neighbouring built form.
- The development makes provision for off highway parking at 200%.
- 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 to consider are; 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 neighbouring 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 and that the development will be two storey in height to match the residential properties which adjoin the site. There is adequate separation from property to the rear at 21m. There will be a distance of 12m to the property across the road and the applicant has stated that this is adequate in relation to the new Manual For Streets and its advice on urban design.

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

Neighbour Amenity

Policy HS22 is concerned to retain housing use in Chorley Town Centre and it is considered that in this instance this policy takes priority over the requirements of Policy EM9 which seeks to obtain the reuse of employment sites as the predominant use on three sides of the site is residential. The property across the road is the subject of an application for residential development and taken together this should result in an improved environment with potentially reduced vehicle movements and amenity problems. There is sufficient separation distance between dwellings to achieve a satisfactory form of development.

Conclusion

The application is recommended for approval subject to a s106 agreement to cover the contribution towards open space provision. There will be environmental benefits to the local area from the development which outweigh the loss of an employment site but in a densely developed area such as this, small units with poor access and limited parking and servicing are not likely to prove popular.

**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 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 and HS4 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 of development that poses no unacceptable risk of pollution to water resources or to human health.
