

Item B. 1	06/00908/OUT	Permit Outline Planning Permission
Case Officer	Mrs Wendy Gudger	
Ward	Chorley South West	
Proposal	Outline application for enhancement of shopping area to include use classes A1, A2, A3 and A5	
Location	Land South Of Copper Works Wood West Of Gillibrand North And West Of South Clover Road Chorley	
Applicant	Taylor Woodrow Dev Ltd & Redrow Homes Lancashire Ltd	
Background	<p>A site development brief was finalised for this site over 10 years ago in June 1996. This first set out the principle of having a local centre near to what is now the Gillibrand Link Road. A minimum of 700 square metres for the shop site was to be identified within the estate. This idea was firmed up in a subsequent Development Agreement and planning permissions granted in the late 1990s. Since the mid-1990s an Officer Working Group has overseen the Gillibrand Development with close involvement with the developers.</p> <p>Within the agreement the developers are required to make provision for and market the site for local shopping provision. They require a planning permission to enable this to take place. If at the end of the marketing exercise there is no interest in the shopping site then the developers would be able to put forward schemes for additional housing development</p>	
Proposal	<p>The application is in outline with matters of siting and means of access to be considered at this stage. Under the terms of the S.106 Agreement and Development Agreement the developers are required to provide shopping facilities if there is any interest following a marketing exercise. An alternative position for the community centre which was initially proposed for this site is currently being considered and does not form part of this application.</p>	
History	<p>96/00727/CB4 Regulation 4 application for housing, outdoor play space, education facilities, local shopping and community building. Approved 17th July 1997</p> <p>98/00301/REM Reserved matters application for site reclamation and erection of 505 houses including, garages, sewers, public open space, play areas, landscaping, community centre and shops. Approved 16th February 1999</p>	
Policy	<p>GN5 Building Design SP9 Local Shops on Housing Development Sites PS2 Provision , Improvement and Protection of Community Centres and Village Halls TR4 Highway Development Control Criteria</p>	

Consultee Responses

Director of Streetscene, Neighbourhoods and Environment;
A decision should be subject to the following

- The shop is within 50 metres of a landfill site and will require comprehensive construction design to prevent the ingress of landfill gas

MAPS team has no objections in principle to the proposal but would like to see more detailed plans of the shopping units. Details of the boundary treatment with the link road as well as details of bin storage are also requested.

LCC Highways has no objections in principle but has commented that a pedestrian refuge is needed at the entrance to the shopping area and the access to the car park should be reduced in width to 5.5 metres with 6m radii.

Third Party Representations

62 letters of objection have been received to the application. Objections have also commented on the community centre location and as this no longer forms a part of the application they will not be referred to:-

- The proposed shop is too big and is not in keeping with the residential area or Yarrow Valley Park
- There would be insufficient custom to make it a going concern
- Will attract youths and result in anti-social behaviour
- The shops will need signage
- There are already sufficient shops close by
- The appearance of the buildings look plain like industrial units
- There is an issue of traffic and pedestrian safety with additional traffic and cars parked on the road
- Assurances have previously been given by the developers that the land would not be built on
- Views would be obstructed
- Developers never made many residents aware of the shop requirement

Assessment

The issues to be considered are the principle of the proposals, the impact on residential amenity , crime and disorder and highway safety.

Principle of the Proposal

Planning permissions ref 96/00727/CB4 and 98/00301 have established the principle for the provision of the shopping site . The developers have a legal obligation to provide these facilities on site through the S.106 Agreement and Development Agreement. The siting for these proposal was to be on that piece of land adjoining the site entrance to Gillibrand North.

What became clear several years ago is that it would not be physically possible to provide the required amount of shopping floorspace and community centre with changing rooms with the associated car parking on one site. An alternative position for the community centre on the Buttermere estate is now being consulted on and no longer forms a part of this application.

Impact on Residential Amenity

The shopping facilities have previously been granted planning permission through the original consents. The buildings will be single storey structures. The shop site is set at a slightly lower level than the adjoining apartment buildings to the south and are separated by the car parking area and access. Although there are no details of design included within this application it is not considered that there would be an impact on residential amenity.

Local residents have raised concerns relating to anti social behaviour which they consider will increase with the provision of the shops.. Although there is no formal response yet from the MAPS team they were consulted at the pre application stage and did not raise any objections to the proposal.

Crime and Disorder

Local residents have raised concerns that the shop site will attract youths and result in anti-social behaviour. The MAPS team have raised no objections in principle to the development but have requested consideration of additional details.

As this is an outline application with only siting and access to be considered at this stage the MAPS team will be consulted further on the design and boundary treatments etc.

Highway Safety

LCC Highways have raised no objections to the development subject to the provision of the pedestrian refuge. Amended plans are to be provided showing this detail. The proposal would comply with policy TR4 of the Local Plan

Conclusion.

The shop facilities have previously been granted permission by virtue of the earlier consents and the principle of their provision has been established. Local residents have raised objections to the provision of the shopping facilities. However as has been previously mentioned the principle was established by the previous permissions and the developers are obligated to provide the facilities on site should there be any interest following marketing of the site. As such the proposal is considered to be in line with adopted policies of the Local Plan

Recommendation: Permit Outline 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 51 of the Planning and Compulsory Purchase Act 2004.

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, HS4, EM2 and TR4 of the Adopted Chorley Borough Local Plan Review.

3. The development hereby permitted shall not commence until samples of all external facing materials to the proposed building(s) (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 Nos. GN5, DC8A, DC8B, HT2, HT3, HT7, HS4, HS9, EM3, EM4A and EM5 of the Adopted Chorley Borough Local Plan Review.

4. 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.

5. Before the development hereby permitted is first commenced, full details of the measures to be incorporated into the development to prevent the ingress of landfill gas shall be submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall only be constructed in accordance with the approved scheme of landfill gas ingress prevention measures.

Reason: To protect occupiers from the ingress of landfill gas and in accordance with Policy No. EP16 of the Adopted Chorley Borough Local Plan Review.

6. 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.

7. 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.

8. The larger retail unit shown on the submitted plans shall only be used as a shop and for no other purpose within Class A1 of the Town and Country Planning Uses Order 1987.

Reason: The use of that unit for any other purpose may not be appropriate and the Local Planning Authority requires the opportunity to consider any changes in use.
