

APPLICATION REPORT – 16/01014/CB3

Validation Date: 7 November 2016

Ward: Chorley South East

Type of Application: Chorley Regulation 3

Proposal: change of use of the site to a staff car park

Location: Apex Business Centre 1 Arley Street Chorley

Case Officer: Andrew Williams

Applicant: Mr Keith Davy

Agent: N/A

Consultation expiry: 19 December 2016

Decision due by: 2 January 2017

RECOMMENDATION

Permit Full Planning Permission

This application is required to be determined by committee as the Council are the applicant.

SITE DESCRIPTION

1. The application site is now a vacant plot following the demolition of a previous commercial building with yard. The site is bound by Stump Lane to the north, Arley Street to the west, the Manchester-Preston railway line to the east and a car park to the south. It is located close to Chorley Town Centre and lies within the core settlement area.
2. The site is accessed from an existing access point on Arley Street. The character of the area is largely commercial and industrial however a row of traditional terraced dwellings lie adjacent to the site on the western boundary along Arley Street with on-road car parking for residents.

DESCRIPTION OF PROPOSED DEVELOPMENT

3. This application seeks the change of use of the vacant plot to provide a staff car park for Chorley Council employees. The main access will be as retained as existing with the provision of 39 car bays and 12 associated 6m high lighting columns.

RELEVANT HISTORY OF THE SITE

Ref: 5/1/02330 Decision: PERFPP Decision Date: 5 November 1964

Description: Extension of garage and workshop

Ref: 15/00030/FUL Decision: PERFPP Decision Date: 18 March 2015

Description: Retrospective application for the erection of palisade fence

Ref: 91/00145/COU Decision: PERFPP Decision Date: 11 June 1991

Description: Change of use to training centre

Ref: 79/00684/FUL Decision: PERFPP Decision Date: 10 December 1979

Description: Storage and manufacture of small concrete products

REPRESENTATIONS

4. One letter of representation has been received on behalf of a neighbouring property raising the following objections:
- There are restrictions on the times that Arley Street can be used for access to the former business centre;
 - Increased traffic on Arley Street would create a hazard for residents and pedestrians;
 - Any increase in traffic to and from Arley Street will cause major traffic problems and accident risk at the junction with Stump Lane;
 - Arley Street is too small for two way traffic;
 - The proposed lighting will adversely affect the visual amenity of the location for the residents;
 - The proposed application will result in noise disturbance in the form of traffic noise and could result in further loss of amenity with residents having to queue to enter or exit Arley Street;
 - The proposed development could adversely affect health in light of additional traffic fumes being emitted from vehicles;
 - The development does not further the Key Service Centre objectives of Chorley Borough Council as identified in the Chorley Local Plan (para. 2.8);
 - Car parks are not identified as being a priority in the Chorley Local Plan except at existing Railway Stations. Arley Street is not in the vicinity of the Railway Station; and
 - The proposed development does not further the Council's Social or Green Infrastructure proposals.

CONSULTATIONS

Network Rail – No objection subject to conditions.

Lancashire Highway Services – No response received to date – will update on addendum

Regulatory Services - Environmental Health – No response received to date – will update on addendum.

PLANNING CONSIDERATIONS

The main considerations in the determination of this application:

- Principle of the development;
- Impact upon the character and appearance of the area;
- Highway and Railway Implications; and
- Amenity to neighbouring occupiers.

Principle of the development

5. The application site is not located within a district or local centre nor is the site specifically allocated for a particular use within the Chorley Local Plan (2012-2026). To this end within settlement areas the Local Plan advocates a presumption in favour of appropriate sustainable development of previously developed sites subject to material planning considerations and other policies within the Local Plan.
6. On this basis the land has remained vacant for over 5 years since the demolition of the commercial premises and as evidenced through the closure of the existing staff car park at

Hollingshead Street for the general public, the proposal will provide parking facilities for Council staff within a walkable distance of the Council buildings.

7. Paragraph 17 of the NPPF (2012) *'encourages the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value'*
8. The proposal seeks to utilise previously developmeed land which is encouraged by a core planning principle within the NPPF (2012) and as such the 'principle' of development is considered to be acceptable.

Impact upon the character and appearance of the area

9. Policy BNE1 of the Chorley Local Plan (2012-2026) states that planning permission will be granted for new development provided that the proposal does not have a significantly detrimental impact on the surrounding area by virtue of its density, siting, layout, building to plot ration, height, scale and massing, design, orientation and use of materials.
10. In this instance the proposal seeks the redevelopment of a dilapidated and overgrown site which has been vacant for over 5 years. Whilst it is appreciated that the presence of cars will alter the character and appearance of the site as viewed from certain vantage points along the footpath to Stumps Lane the entranceway to Arley Lane, the proposals true impact is largely obscured by the plots lower elevation to the public highway and established boundary treatments. Moreover, significant visual improvements will be made to the sites appearance which is of benefit to the aesthetics of immediate area.
11. To this end the proposed development is considered to be in compliance with policy BNE1 of the Local Plan.

Highway and railway Implications

12. Policy BNE1 of the Chorley Local Plan 2012-2026 reiterates that development will only be permitted where the *'residual cumulative highways impact of the development is not severe and would not prejudice highway safety, pedestrian safety, the free flow of traffic, and would not reduce the number of on-site parking spaces below the standards stated with the Site Allocations Policy – Parking Standards, unless there are other material considerations which justify the reduction.'*
13. This application seeks the provision of 39 car park spaces accessed via Arley Street off Stump Lane. At the present time no response has been received from Highways as the appropriateness of the scheme, however it is not envisaged that the car park will generate excessive transport movements to the detriment of the local transport network, this point will however be updated on the addendum. Subject to highways comments raising no objection to the scheme, the application complies with policy BNE1 of the Local Plan.
14. Network Rail have no objections subject to the imposition of conditions.

Amenity to neighbouring occupiers

15. The proposal in itself is not considered to detrimentally impact upon the amenities of neighbouring properties along Arley Street.
16. In respect to the lighting scheme for the car park, it is not envisaged that the glare will cause any significant impact to the amenities of the residents. The submitted site plan provides LUX levels which are satisfactory and given the distance between the car park and the terraced properties will not cause any adverse impacts.
17. Notwithstanding the above, Environmental Health is yet to provide formal comments on the proposed application which will be attached to an addendum before the Planning Committee and therefore subject to no objection being received, the proposal is considered acceptable.

CONCLUSION

The proposal seeks to utilise previously developed land within a sustainable urban environment. The use of the site as a car park will not significantly impact upon the character and appearance of the area and subject to no objection being received from Highways or Environmental Health, the proposal is considered acceptable.

RELEVANT 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 Local Plan 2012-2026 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the proposal has had regard to guidance contained within the National Planning Policy Framework (the Framework) and the development plan. The specific policies/ guidance considerations are contained within the body of the report.

Suggested 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. The development hereby permitted shall be carried out in accordance with the approved plans below:

Reason: For the avoidance of doubt and in the interests of proper planning

Title	Plan Ref	Received On
Location Plan		28 October 2016
Proposed Site Plan	A16-04/101	28 October 2016
Proposed Site and Lighting Plan	A16-04/101	28 October 2016

3. The parking layout shown on the plans hereby approved shall be surfaced or paved, drained and marked out and made available in accordance with the approved plan prior to first use of the car park. The car park shall thereafter be permanently retained for that purpose .

Reason: To ensure provision of adequate off-street parking facilities within the site.

4. No soakaways shall be placed within 20m of the railway boundary or in a location that could affect the stability of Network Rails property. All surface water must be directed away from the direction of the railway boundary.

Reason: To ensure there is no damage to the railway infrastructure.

5. If not already in place, the developer must provide, at their own expense, a suitable trespass proof steel palisade fence of at least 1.8m in height adjacent to Network Rail's boundary and make provision for its future maintenance and renewal without encroachment upon or over-sailing of Network Rail land. Network Rail's existing fencing / wall must not be removed or damaged and at no point either during construction or after works are completed on site should the foundations of the fencing or wall or any embankment therein be damaged, undermined or compromised in any way. Any vegetation on Network Rail land and within Network Rail's boundary must not be disturbed. Any fencing installed by the applicant must not prevent Network Rail from maintaining its own fencing/boundary treatment. Any fencing must be constructed and maintained wholly within the applicant's land ownership footprint, including foundations which must not encroach onto or over-sail the railway boundary.

Reason: To maintain security and reduce instances of trespassing onto the railway infrastructure in accordance with the NPPF (2012).

6. Prior to use of the car park details of crash barriers and high kerbs or similar shall be submitted to and approved in writing by the Local Planning Authority. The details approved shall be implemented prior to use of the car park.

Reason: Due to vehicle incursion on the railway being a foreseeable risk.