

APPLICATION REPORT – 16/00953/OUT

Validation Date: 7 November 2016

Ward: Chorley South West

Type of Application: Outline Planning

Proposal: Outline application for the demolition of The Moor Inn and erection of 2 no. buildings comprising 8 no. apartments (all matters reserved)

Location: The Moor Inn 26 Moor Road Chorley PR7 2LN

Case Officer: Mr Iain Crossland

Applicant: Mr Nick Burton

Agent: N/A

Consultation expiry: 2 December 2016

Decision due by: 10 February 2017

RECOMMENDATION

1. It is recommended that this application is approved subject to conditions.

SITE DESCRIPTION

2. The application site comprises a disused public house located on Moor Road in the core settlement area of Chorley. The building itself is a detached building of traditional character that currently appears somewhat dilapidated. The building is faced in painted render, natural stone, with red brick to the rear and the roof is laid in slate. There is a vehicular access to the site from Moor Road, previously used for deliveries, and a yard area to the rear previously used as a beer garden and smoking area. The site is bound by residential property to the north side, commercial property to the south side and a garage colony to the rear. The site is roughly triangular in shape and extends to approximately 0.03 hectares. The topography of the site is flat. The site is in an area of mixed character with residential and commercial uses in the locality of the site.

DESCRIPTION OF PROPOSED DEVELOPMENT

3. Outline planning permission is sought for erection of 2no. buildings comprising 8no. apartments with all matters reserved following the demolition of the existing building.

REPRESENTATIONS

4. No representations have been received.

CONSULTATIONS

5. **Waste & Contaminated Land:** No comments to make.

6. **Lancashire Highway Services:** No highway objections to the proposal in principle, however, comment that in its current form, the proposal would be unacceptable without adequate off-street parking provision being made, therefore based on inadequate parking provision, it is recommended that approval of the application be resisted.
7. **United Utilities:** No objection subject to appropriate conditions being attached

PLANNING CONSIDERATIONS

Principle of development

8. The National Planning Policy Framework (The Framework) states that housing applications should be considered in the context of the presumption in favour of sustainable development. This means that development proposals that accord with the development plan should be approved without delay.
9. The application site is located in the core settlement area of Chorley. The Core Strategy Policy 1 is concerned with locating growth and identifies Chorley Town as a Key Service Centre where growth and investment should be concentrated.
10. The site is not allocated for any specific use within the Chorley Local Plan 2012 - 2026 and the Local Plan states that within the settlement areas excluded from the Green Belt, and identified on the Policies Map, there is a presumption in favour of appropriate sustainable development.
11. The application site is a disused public house. The Framework, section 28, provides support for pubs that are important for tourism or necessary as village facilities. This facility is not within a village but a neighbourhood of Chorley. The Moor Inn is not within the boundary of the nearby Local Centre protected by Local Plan Policy EP7.
12. The Framework, section 70, stipulates that to deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:
Guard against the unnecessary loss of valued facilities and services particularly where this would reduce the community's ability to meet its day to day needs;
Ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community.
13. Core Strategy Policy 25 (Community Facilities) seeks to ensure that local communities have sufficient community facilities provision by (c) resisting the loss of existing facilities by requiring evidence that they are no longer viable or relevant to local needs.
14. Policy HW6 of the Chorley Local Plan 2012 - 2026 reflects this and specifically seeks to protect public houses from redevelopment. This policy states that the loss of a public house will be permitted where it can be demonstrated that:
 - a) The facility no longer serves the local needs of the community in which it is located;
 - b) Adequate alternative provision has been made, or is already available, in the settlement or local area; and
 - c) The use is no longer financially viable; and
 - d) The facility is in an isolated location remote from public transport routes; or
 - e) There is an amenity or environmental reason why the facility is no longer acceptable.
15. The loss of the pub is assessed below.
16. *a) The facility no longer serves the local needs of the community in which it is located;*
No comments have been received in relation to the planning application and the Council has not been made aware of any attempts to register The Moor Inn as a community asset.
17. *b) Adequate alternative provision has been made, or is already available, in the settlement or local area*

There are public houses located on Pall Mall and Moor Road and further away in Chorley town centre. These would realistically cater for any latent demand as a result of the loss of The Moor Inn facility.

18. *c) The use is no longer financially viable*

The Moor Inn has been closed for some time, was available to let, but was eventually sold at auction. Given the number of public houses in close proximity and wider trends in relation to public houses it is considered likely that the operation of a public house on the site is no longer financially viable.

19. *d) The facility is in an isolated location remote from public transport routes*

The facility is not in an isolated location and is easily accessible.

20. *e) There is an amenity or environmental reason why the facility is no longer acceptable.*

The site is no longer maintained and is clearly suffering a sense of abandonment, which detracts from the amenity of the local area. Based on the re-establishment of a public house facility on site appearing unlikely and the declining visual amenity of the site it is considered that there are amenity reasons for the existing facility no longer being acceptable.

21. On the basis of the factors assessed above it is considered that the loss of the public house as a community facility should be accepted in this instance.

Impact on character and appearance of the locality

22. The proposed development involves the provision of eight apartments contained within two separate buildings on land following the demolition of The Moor Inn public house. The indicative layout plan suggests that the apartment blocks would be arranged and positioned with the main block in the position of the existing public house building facing Moor Road. Such an arrangement in which the proposed dwellings face onto Moor Road would have a positive impact in terms of creating an active street frontage and contributing to the character of the area. The block of apartments to the rear would be largely screened from view and would have little impact on the appearance of the site or character of the locality.

23. The properties to the south side of the site include a newsagent, betting shop and public house contained within a red brick terrace of traditional design style. The building has a number of characterful features, which offer design cues for any eventual scheme that is designed upon the application site, including window openings, materials and feature brickwork. The dwellings to the north side are lower in height than the buildings to the south and are of a more simple modern appearance, faced in red brick. It is noted that these are set back from the highway, with shallow gardens to the front.

24. In terms of the eventual design and appearance of the proposed scheme the surrounding dwellings provide some cues as to an appropriate scale, and it is anticipated that the buildings would be two storeys in height with dual pitched roofs, although a three storey building on the frontage may be possible depending on the eventual design and scale.

25. The indicative site plan suggests that very little outside amenity space would be possible with limited space for parking. This would result in a high density scheme, which is consistent with other such developments in the area. No landscaping or boundary scheme is included at this stage, however, this would form an important component as regards the details of the eventual development.

26. It is anticipated that two appropriately designed apartment blocks containing no more than eight dwellings could be accommodated on this site, without detriment to the appearance of the site and character of the street scene and wider area.

Impact on neighbour amenity

27. The application seeks outline planning permission at this stage, however, an indicative site plan has been submitted that details the possible layout of the eventual scheme. The indicative site plan suggests that the main apartment block proposed would occupy a similar position to the existing public house. Even at increased height a building in this position

would have no greater impact on the amenity of neighbouring occupiers than the current situation.

28. The apartment building located to the rear of the site would be more visible from nearby dwellings. The indicative positioning suggests that it would be located approximately 8.5m at its closest point from the nearest dwellings at 4 and 4A Moor Road. The proposed building would not create any parallel facing windows, and is likely to have a lesser impact on light and outlook than the present situation. As such it is considered that it is possible to design the scheme in such a way that any impact on the amenity of occupiers at 4 and 4a Moor Road would not be unacceptable.
29. The indicative plans show that the proposed building to the rear would be located approximately 10m from the dwellings at 6 and 6A Yates Street. The proposed building would not create any parallel facing windows, and would have no impact on light and outlook by virtue of the relative positioning. As such it is considered that it is possible to design the scheme in such a way that any impact on the amenity of occupiers at 6 and 6A Yates Street would not be unacceptable.

Highway impact and access

30. The proposal is for 8no. single bedroomed apartments and requires a car parking space and storage for one cycle to be provided in respect of each apartment. From the indicative plan submitted provision would be made for only 4no. car parking spaces for the entire development. This is likely to result in residents of the development seeking parking spaces on-street. It is, however, unlikely that four additional cars seeking on street parking would lead to an unacceptable impact upon parking conditions in the area. There are on street parking opportunities on Moor Road and Yates Street near to the site.
31. The applicant proposes use of the existing access. The access is 3.2m wide, which although narrow is only 10.5m long, within a safe reversing distance and with enough space at both ends to allow vehicles to wait to give way to each other. The access is, therefore, considered to be acceptable for the proposed development. The proposed entrance treatment falls within the adopted highway, and as such the treatment works and materials would need to be specified by LCC highways. The applicant would, therefore, be expected to contact LCC highways at the reserved matters stage prior to any works commencing on site.
32. It is noted that there are no highway objections to the proposal in principle. It is recognised that the proposal does not comply with the Council's adopted parking standards in its current form, which LCC highways consider to be unacceptable. However, the site is located close to local amenities within the local centre 350m away, and Chorley Town centre within 875m. The site is also located on an established bus route with nearby stops. As such the site is in a highly sustainable location and it is not considered that there would be an impact on highway safety severe enough, in terms of that required by Paragraph 32 of the Framework, to warrant the refusal of the application.

Public Open Space

33. In line with Local Plan Policy HS4 a contribution towards the provision or improvement of public open space (POS) would be required to address local needs. There is no local evidence of need to outweigh national policy in regards to open space, therefore, a contribution is not required from this development.

CIL

34. The Chorley CIL Infrastructure Charging Schedule provides a specific amount for development. The CIL Charging Schedule was adopted on 16 July 2013 and charging commenced on 1 September 2013. The proposed development will be a chargeable development and the charge is subject to indexation in accordance with the Council's Charging Schedule.

CONCLUSION

35. It is considered that the principle of 2no. buildings comprising 8no. apartments on this site is acceptable due to the sustainable credentials of the site and its characteristics. It is considered that two buildings could be designed and positioned without causing undue harm to the appearance and character of the area or to neighbour amenity.
36. In addition it is considered that despite lower levels of parking provision there would be no unacceptable harm to highway safety. On the basis of the above, it is recommended that planning permission be granted.

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. An application for approval of the reserved matters (namely the access, appearance, layout, scale and landscaping of the site) must be made to the Council before the expiration of three years from the date of this permission and the development hereby permitted must be begun two years from the date of approval of the last of the reserved matters to be approved.

Reason: This condition is required to be imposed by the provisions of Article 3 (1) of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Either as part of the first reserved matters application or prior to the commencement of the development details of a scheme for the construction of the site access and the off-site works of highway improvement shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to satisfy the Local Planning Authority that the final details of the scheme/works are acceptable before work commences on site.

3. No part of the development hereby approved shall be occupied until the approved scheme for the construction of the site access and the off-site works of highway improvement has been constructed and completed in accordance with the scheme details.

Reason: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.

4. The development shall be limited to no more than 8 new apartments and shall be carried out in accordance with the following plans:

Title	Drawing Reference	Received date
Location Plan	N/A	25 October 2016

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

5. Either as part of the first reserved matters application or prior to the commencement of the development details of the access arrangements, highway visibility splays, parking, servicing and turning areas shall be submitted to and approved in writing by the Local Planning

Authority. The development shall then be constructed in accordance with the approved details prior to the first occupation of the dwelling.

The approved parking and/or garaging shall be surfaced or paved, drained out and made available in accordance with the approved details prior to occupation and such parking facilities shall thereafter be permanently retained for that purpose (notwithstanding the Town and Country Planning (General Permitted Development) Order 2015).

Reason: In the interest of the highway safety.

6. A scheme for the landscaping of the development and its surroundings shall be submitted as part of the reserved matters application. These details shall include 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, proposed finished levels, means of enclosure, minor artefacts and structures. The scheme should include a landscaping/habitat creation and management plan which should aim to contribute to targets specified in the UK and Lancashire Biodiversity Action Plans. Landscaping proposals should comprise only native plant communities appropriate to the natural area. The content of the plan should include elements to mitigate for loss of trees shrubs and bird nesting habitat.

All hard and soft landscape works shall be carried out in accordance with the approved details within 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.

Reason: To ensure that a satisfactory landscaping scheme for the development is carried out to mitigate the impact of the development and secure a high quality design.

7. Any application for reserved matters shall detail that the driveways/hardsurfacing areas for each of the dwellings shall be constructed using permeable materials on a permeable base (under-drained areas can be used if ground conditions do not suit). The materials shall be maintained in perpetuity thereafter.

Reason: In the interests of highway safety and to prevent flooding.

8. As part of the first application for reserved matters or prior to the commencement of the development the following details shall be submitted to and approved in writing by the Local Planning Authority:

- a) Details of the colour, form and texture of all external facing materials to the proposed dwelling
- b) Details of the colour, form and texture of all hard ground- surfacing materials.
- c) Location, design and materials of all fences, walls and other boundary treatments.
- d) The finished floor level of the proposed dwelling and any detached garages

The development thereafter shall be completed in accordance with the approved details. Prior to the first occupation of the dwelling hereby permitted all fences and walls shown in the approved details to bound its plot shall have been erected in conformity with the approved details.

Reason: In the interests of the visual amenities and character of the area and to provide reasonable standards of privacy to residents.

9. Either as part of the first reserved matters application or prior to the commencement of the development details of a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an

assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. In the event of surface water draining to the public surface water sewer, the pass forward flow rate to the public sewer must be restricted to 5 l/s.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG.

10. Either as part of the first reserved matters application or prior to the occupation of any of the dwellings hereby approved details of a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

- a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
- b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.