

APPLICATION REPORT – 17/00464/FULMAJ

Validation Date: 12 June 2017

Ward: Clayton-le-Woods North

Type of Application: Major Full Planning

Proposal: Erection of a convenience retail store, a building comprising 40no. retirement apartments, car parking and associated infrastructure following demolition of all existing buildings and structures

Location: Pines Hotel Preston Road Clayton-Le-Woods Chorley PR6 7ED

Case Officer: Mr Iain Crossland

Applicant: Mr Oliver Dickinson

Agent: Mr Chris Smith

Consultation expiry: 4 August 2017

Decision due by: 31 December 2017

UPDATE REPORT

1. The recommendation remains that full planning permission be granted subject to conditions and a signed s106 obligation to secure a travel plan.
2. Members will recall that this application was deferred at the Development Control Committee meeting held on 12 December 2017 to enable officers the opportunity to seek advice in relation to the approach taken in relation to affordable housing requirements set out in policy 7 of the Core Strategy. The previous update from 12 December 2017 and original committee report from 07 November 2017 follows on below.
3. Advice has been sought from Counsel in relation to the approach taken by officers in the planning assessment. The advice confirms that the retirement apartments proposed would not fall within the scope of the 'market housing schemes' referred to in sub-paragraph (a) of policy 7 of the Central Lancashire Core Strategy, and that due to the restriction on availability would fall to be considered special needs housing.
4. Whilst sub-paragraph (a) of policy 7 of the Core Strategy would not be engaged on this basis special needs housing could fall to be considered under sub-paragraph (d) of policy 7. Sub-paragraph (d) is, therefore, engaged and requires that a proportion of the properties being provided should be affordable. The proportion that should be required is not specified however, and in addition sub-paragraph (d) of policy 7 states that the proportion of affordable properties to be sought will be subject to such site and development considerations as financial viability and contributions to community services.
5. McCarthy and Stone contend that retirement accommodation and affordable housing cannot sensibly or practically be integrated on the site and that it is simply not viable to make any contribution towards off-site provision. This case is supported by a viability assessment to evidence this, which has been assessed by the Council's independent viability assessor.
6. Notwithstanding these matters, Counsel has considered the issue of consistency of approach, which is raised in the original officer's report to committee of 07 November 2017 in paragraph 151. The advice is that that consistency of decision-making is an important

consideration in its own right. As the Council has in the past taken the view that special needs housing such as the present proposal should not be subject to affordable housing requirements then, were it to take a different view now and require affordable housing provision in this case, it would need to consider as a separate issue in its own right whether there were proper grounds to justify a departure from the previous practice. In this instance there does not appear to be any grounds to justify a departure from the previous practice and no affordable housing is sought.

7. In any event it is not considered that an overage agreement could be justified on the basis that the proposed residential development is a single phase development consisting of an apartment building.
8. It was reported on the addendum that:
9. 1 No. further letter of objection has been received setting out the following issues:
 - German firms may reconsider UK links without Brexit clarity
10. 1 No. further letters of support has been received highlighting benefits including:
 - The supermarket car park may be used by parents dropping off and picking up school children.
 - Visual improvement of the site.
 - Specialist accommodation for our ageing accommodation.
 - Improvements to road highways and footways.
11. The applicant has provided clarification of the method used in the car parking accumulation assessment for members benefit. In summary the number of vehicle movements generated by the proposal has also been informed by the surveys of other stores. Whilst there has been some local criticism that the survey times were not extended to include the whole of the morning and evening rush-hour periods, the surveys do include a substantial proportion of the weekday evening rush-hour. It has not been necessary to extend the survey periods further because the surveys themselves demonstrate that Lidl's peak shopping times do not correspond with rush-hour. In short, the majority of Lidl customers undertake their shopping trips outside the daily rush-hour periods. This has been accepted and agreed with County Highways.
12. The applicant has also confirmed that they would be willing to fund a signalised crossing on Preston Road should members consider this necessary and if accepted by Lancashire County Council Highways. The Applicants have engaged in detailed discussions with County Highways and it has been agreed to install two pedestrian refuges on Preston Road outside the site and a central refuge at the site access in order to assist pedestrian and cyclist movements. Improvements comprising widening, tactile paving and dropped kerbs are also proposed to existing traffic islands on Clayton Green Road and Westwood Road. The Applicants would agree to providing a signalised crossing, which could be secured as part of the package of Section 278 off-highway works, to be agreed with County Highways.
13. Since the application was considered at the previous committee, further letters of objection have been received from Mr Boyd of 558 Preston Road and Mrs Domokos of 13 Radburn Close.
14. The objection received from Mr Boyd is primarily concerned with Transport Assessment (TA). He is concerned as to why Lidl would want to use data from their own stores (which cannot be independently verified) rather than the independently gathered TRICS data. The reasons Lidl gave for doing this was that their data gave higher trip rates than TRICS and was therefore more robust. However, referring to Appendix 9 in the TA, the trip rates obtained using TRICS were obtained by applying user restrictions that would lower the trip rates achieved, thus underestimating the predicted traffic volume that would both access and park on the site. Further detail is set out in the objection email which is available on the planning file and has been forwarded to LCC Highways for comment. This will be updated on the addendum.

15. Mr Boyd's objection is also concerned with the offer to install a controlled crossing on the A6 in the vicinity of the site entrance, and the impact of this on the efficient functioning of the highway on this area. If it were to be positioned further from the junction it may result in a noise nuisance and potential neighbour amenity issue. These matters would be addressed by LCC as part of the negotiations around the s278 agreement were any grant of planning permission to be forthcoming.
 16. The objection received from Mrs Domokos is concerned with the impact of the proposed retirement apartment building on the amenity that she currently enjoys from her home at 13 Radburn Close, with particular regard to the impact on light and height of the proposed building relative to her own.
 17. It is noted that the nearest part of the proposed apartment building would have a ridge height approximately 7.5m higher than the ridge of 13 Radburn Close, and it is acknowledged that the proposed building is larger and sited at a higher level. Given that the apartment building would be located to the north west of the dwelling it is not considered that there would be an unacceptable impact on direct light in relation to the dwelling. A detailed assessment of the impact on the amenity of occupiers at 13 Radburn Close is set out in paragraphs 87 to 92 of the original committee report. This concludes that it is not considered that the impact would be so harmful, when considered in the context of urban development more generally, that it could be considered unacceptable and would warrant refusal of the application.
 18. Mrs Domokos also objects on the basis that the retirement apartments are age discriminatory. This is not a material planning consideration.
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PREVIOUS UPDATE REPORT

1. The recommendation remains to approve full planning permission.
2. Members will recall that this application was deferred at the Development Control Committee meeting held on 07 November 2017 to allow time for Members to visit the site. The original committee report from 07 November 2017 follows on below.
3. It was reported on the addendum that:
4. 1 no. further letter of objection had been received setting out the following issues:
 - Highway impact
 - Impact on air pollution
5. 1 no. further letter of support had been received.
6. An email has also been received from Mr. Boyd at 558 Preston Road that included images of a scale model he has created to demonstrate the impact on his property. This has been circulated to the members of the committee.
7. Since the application was considered at the previous committee, further comments have been received from Mr. Boyd stating that the Development Control Committee were misled when Mr. Smith (Agent) stated the McCarthy & Stone ridge height was lower than 558 Preston Road. Mr. Smith's claim to the Committee that the majority of local residents were in favour of the development was also a misleading statement as many of the 'neighbour responses' were from people who are not local.
8. The agent for the application Mr. Smith has responded and commented that Mr. Boyd's calculations are based on an A4 print of the proposed McCarthy & Stone elevation and section drawings, which Mr. Boyd has measured with a ruler. However, the scale on the

relevant drawing is stated as being accurate when printed at A1, so should only be measured from a paper copy printed at A1 if an accurate measurement is to be recorded.

McCarthy & Stone's measurements are sourced directly from detailed CAD drawings of the scheme and are confidently presented with millimetre precision. Accordingly, McCarthy & Stone's measurements must be favoured as a truly accurate assessment of heights etc;

9. It is noted that the proposed plans show the ridge of the apartment building to be lower. This drawing would form part of any proposed plans and any development of the site would be expected to reflect this.
10. In relation to the comments that local people are in support of the development. This was based on the neighbour responses received by the Council and referred to in the original report, which follows below.
11. An objection has also been raised in relation to the impact of the proposed development on air quality and air pollution.
12. The Council's Environmental Health Officer has viewed the objection and states as follows:
13. The Council would support any implementation by any school to monitor air quality and also use the tools and information available to educate future generations and their families about the impact that they have on air quality and the links between air quality and health. We would always encourage personal responsibility for air quality, and many schools do already work with parents to encourage environmentally friendly travel schemes.
14. As stated, Chorley Council has a responsibility to monitor and report on air quality across the entire borough, but this does not specifically require school grounds and areas around schools to be monitored. The monitoring sites in current operation are determined and reviewed dependent on traffic flow data provided by the highway authority in conjunction with other technical guidance and local knowledge. Chorley Council use passive diffusion tubes to monitor NO_x, which predominantly relates to traffic levels. The monitoring is undertaken continuously at various locations across the borough including several locations in the Clayton-Le-Woods area.
15. In addition, the Environmental Health team also provide guidance to the development control team on when and where air quality assessments are appropriate for developments sites. These usually depend on the likely significant increases in traffic and the current air quality data for the site and surrounding area. For reference, the 2016 air quality progress report is available on the Council's website and does not identify any exceedances of air quality objectives throughout the Chorley borough.
16. A further letter of support was also received and a letter in objection referring to the impact on the local highway network.

PREVIOUS REPORT

RECOMMENDATION

1. It is recommended that planning permission be granted subject to conditions and a signed s106 agreement.

SITE DESCRIPTION

2. The application site comprises the now disused Pines Hotel buildings, car park and its formal gardens. The site is located in the core settlement area at Clayton Green to the east of the A6 Preston Road, close to the junction with Clayton Green Road and Westwood Road. The site is bounded by Preston Road and dwellings at 556 to 560 Preston Road to the west, Westwood Road to the north, Westwood Primary School to the east and dwellings

at 11 and 13 Radburn Close to the south and east. There is an approximate 5.5m levels change across the site falling from the west to the east, and a 2.5m change across the site falling from the north to the south.

3. The site is characterised by the mature trees located to the periphery of the site. The original Pines Hotel building is a red brick villa of traditional character, however, this has been extensively and unsympathetically altered over the years to develop the site as a leisure complex. The buildings are located to the north of the site, with the formal gardens confined to the area to the south of the site between the rear of the dwellings on Preston Road and those of Radburn Close.
4. The wider locality is characterised by mainly residential development that has been built through a range of era's, and is reflected in a wide variety of building design styles from those of simple modern appearance to traditional stone cottages.
5. The Clayton Green District Centre is located approximately 70m away to the north west, which comprises an ASDA supermarket, library, public house, and sports centre.

DESCRIPTION OF PROPOSED DEVELOPMENT

6. The proposed development seeks full planning permission for the erection of a convenience retail store, a building comprising 40no. retirement apartments, car parking and associated infrastructure following the demolition of all existing buildings and structures on the site.
7. The convenience retail store would be located on a 0.8ha area of the site that currently accommodates the Pines Hotel building and associated function suite and car parking. The proposed foodstore would provide 2,125sqm gross Use Class A1 retail floorspace, all of which would be delivered at ground floor level.
8. The apartments building would be located on the area of the formal hotel gardens on a roughly rectangular shaped plot of land of approximately 0.6ha that slopes down towards the southeast. The building would be part four storey, part three story and part two storey in response to the levels, and would measure approximately 58m by 23m.
9. There would be a singular vehicular access to serve the whole site from Preston Road as is the case at present.

REPRESENTATIONS

10. In total 124 representations have been received, with 73 in support, 55 in objection and 9 raising matters of both objection and support to the proposed development.
11. Those in support raised the following issues:
 - Convenient location because not everyone in the area drives or has access to a car.
 - An opportunity to address the busy A6 roundabout.
 - Accessible to bus stops
 - No impact on traffic
 - Would reduce trips to Leyland
 - Would like a Lidl nearby
 - Existing supermarket has a monopoly in the area
 - New supermarket would increase competition
 - Employment benefits
 - Visual improvement of the site
 - High quality homes for the elderly
 - Good opportunity for people to downsize their property.

12. Those in objection raised the following issues:

Highway objections

- Increased accident risk particularly from construction traffic.

- The roundabout could not cope with the additional traffic generated
- Proximity of schools
- Deliveries using main entrance to shop/development compromise safety
- Road busy at peak times, especially near primary schools
- Number of motorists already speed on A6 and will increase with more traffic
- Changes to roads are dangerous – increased difficulty for residents to enter/exit their driveways
- Changes to road layout will result in more queuing particularly due to ghost-lane/island
- Traffic calming required
- Already congested and will be made worse
- Trucks on road through night making deliveries
- Increase in volume of traffic
- Roads already carry lorries for other supermarkets so shouldn't expect more to be on roads
- Traffic from proposed IKEA and people visiting will add to traffic problems
- No thought given to parents who may wish to shop after school or after drop off in morning – parents may park and walk kids to school
- Inadequate parking on site
- Sheephill Lane not suitable for lorries
- Change in road markings and removal of hatched area near roundabout will cause accidents.

Commercial element

- Already have number of supermarkets in area. Do not need more.
- Would prefer health centre or high school
- Out of character with residential area
- Jobs will be lost from local businesses, despite Lidl saying will create jobs
- Will remove business from local independents
- Will result in a drop in sales for other businesses, especially supermarket
- Would prefer a more upmarket supermarket
- Impact on nearby towns.

Residential element

- Due to height will overlook houses and cause properties to lose privacy
- Dwarf other buildings – size of proposed flats unprecedented for residential dwellings in area – will make village look overdeveloped – dominate area and houses.
- Overshadowing / overbearing impact on nearby residential properties.
- Will alter outlook from residential properties nearby
- Out of character with area
- Concern that retirement properties are close to school grounds
- Poor design
- Colour scheme would not match with existing properties – disregard of impact design will have
- Neighbours will not be able to escape view of apartments or being viewed upon by apartments. No longer secluded garden.

General issues

- Disruption from demolition and construction and site deliveries
- The Pines is a building of historical importance – lose example of Victorian architecture
- No consultation as to what community would have wanted
- Will make area look industrial and no longer green – will create precedent and goes against policy BNE1
- Impact on house prices
- Drainage difficulties
- Consider proposal to be example of garden grabbing
- The Pines must be retained as a leisure use
- The whole site should be residential
- Loss of protected and unprotected trees

- Crime and anti-social behaviour
- Noise pollution from trucks, air conditioning, deliveries and collections
- Light pollution from lights in the apartment block and lighting in the car parks.
- Air pollution from refuse and vehicles.

13. A highway objection was received on behalf of ASDA stating that the application should be refused on highway grounds for the following reasons:

- An increased number of vehicular movements to the site will increase the likelihood of conflicts between pedestrians and vehicles, increasing the probability of accidents and personal injury;
- Parking is provided significantly under the parking standards, without demonstrating that this would not lead to overspill parking on the surrounding highway impacting on road safety and network operation.
- Servicing arrangements would result in potential conflicts between customers, staff and delivery vehicles;
- The trip rates used in the assessment are considered to under-estimate the likely impact of the development proposals;
- The growth rates used in the assessment are considered to under-estimate the likely growth of background traffic and, therefore, the impact of the development proposals;
- With mitigation, the A6 Preston Road / Clayton Green Road / Westwood Road junction is anticipated to operate over capacity, notwithstanding background and development trip concerns.

14. A further objection was received from ASDA that set out the impact that the proposed development would have on the ASDA Clayton Green store and concluded as follows: *Our objection to the application is that the proposed foodstore at the Pines Hotel site in Clayton-Le-Woods will have a significant adverse impact on the vitality and viability of Clayton Green District Centre. This is a material consideration that warrants the refusal of the application under the terms of Section 38(6) of the Act.*

Asda has no objection to the development of a Retirement Village by McCarthy and Stone. A suggested approach therefore is to remove the proposed Lidl foodstore from the application to enable the application to be supported.

CONSULTATIONS

15. **Conservation Officer:** No objection

16. **Greater Manchester Ecology Unit:** No objection subject to appropriate conditions.

17. **Waste & Contaminated Land Officer:** I have reviewed the ground investigation reports and I am satisfied with their findings. I have no objections to the development proceeding in line with the precautions outlined in the report.

18. **Lancashire Highway Services:** No objection subject to appropriate conditions and the developer entering into a s106 agreement to pay £12,000 towards travel planning support.

19. **Lead Local Flood Authority:** No comments received.

20. **Lancashire Constabulary Architectural Liaison:** Advisory comments provided.

21. **Lancashire Fire And Rescue Service:** Advisory comments provided.

22. **United Utilities:** Following our review of the submitted Drainage Strategy, we can confirm the proposals are acceptable in principle to United Utilities.

23. **Regulatory Services: Environmental Health:** No objection in principle to the application subject to appropriate conditions relating to a Construction Method Statement and hours of operation and delivery.

24. **Clayton le Woods Parish Council** object to the application for the following reasons:
- The development would be out of character with the area, would conflict with the Local Plan and is out of sympathy with local aspirations.
 - The development would be harmful to highway safety in this location given the proximity to two primary schools.
 - There would be harm to the amenity of local residents living adjacent to the site therefore planning permission should be refused on this basis alone.

PLANNING CONSIDERATIONS

Principle of the development

25. The National Planning Policy Framework (The Framework) is fundamentally based on a presumption in favour of sustainable development. As set out at paragraph 14, with regard to decision-making, this means granting planning permission unless:
- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of this Framework taken as a whole; or*
 - *specific policies in this Framework indicate development should be restricted.*
26. The application site is located in the core settlement area at Clayton Green, which is identified as an Urban Local Service Centre by Core Strategy Policy (d) where some growth an investment is encouraged.
27. The proposed development is split into two distinct elements; the commercial retail element comprising the convenience retail store and the residential element comprising the 40 retirement apartments. The assessment of the principle of development is therefore considered in two separate parts to reflect this.

Commercial element

28. The application site lies approximately 70m south east of the Clayton Green District Centre Boundary. It is accepted the site is an edge of centre location.
29. Relevant national policy for retail development is set out in paragraphs 23 to 27 of the Framework. For developments outside existing centres and not in accordance with an up-to-date Development Plan, paragraph 24 requires the applicant to demonstrate there are no suitable sequentially preferable sites available. Paragraph 27 states that where an application fails to satisfy the sequential test, it should be refused.
30. When considering out of centre proposals preference should be given to sustainable sites that are well connected to the town centre. As such in accordance with the Framework a proposal for new retail provision within an out of centre location requires a sequential test.
31. Policy EP9 of the Chorley Local Plan 2012 - 2026 (Development in the edge of centre and out of centre locations) reinforces the guidance contained within the Framework and permits out of centre retail development within accessible locations, which do not harm the amenity of the area, and which do not detract from the function, vitality and viability of the town centre.
32. A sequential assessment has been submitted with the application that makes specific reference to four local centre locations at Clayton Green District Centre, Great Greens Lane Local Centre, Chorley Old Road Local Centre and Lancaster Lane Local Centre. The applicant has considered sequentially preferable sites and premises that are suitable and available and which should be favoured over and above the application site. There are also no other sites for consideration. The local centres considered were found unsuitable for a range of reasons including being either too small, not available now or there are other physical or policy constraints.
33. Paragraph 26 of the Framework is concerned with impact. Where a proposal is outside a town centre and not in accordance with an up-to-date Development Plan, an impact assessment is required if the development is over a proportionate, locally set threshold and in the absence of a local threshold, the default threshold is 2,500 square metres ("the

threshold"). The proposed foodstore within the application falls below this threshold (and as noted later there is no local lower threshold).

34. The Framework is supported by the Planning Practice Guidance (PPG). This states that the impact test only applies to proposals exceeding 2,500 square metres gross floorspace unless a different locally set threshold is set by the local planning authority (Paragraph reference ID: 2b-016-20140306). Reference to circumstances when an impact assessment may be required where a proposal is below 2,500 square metres (or below a locally set threshold), is absent from the Framework and the PPG. It is therefore clear that national policy does not require an impact assessment for retail proposals below 2,500 square metres, unless there is a locally set threshold (which there is not), even though a proposal may cause harm to a centre.
35. Policy 11 of the Core Strategy is concerned with retail and town centre uses. This policy supports development of an appropriate scale to the retail hierarchy and in sustainable locations. The policy makes specific reference to key elements of the retail hierarchy. It also makes reference to maintaining and improving and controlling the mix of uses in existing District and Local Centres and proposed centres at Strategic Sites and Locations, so as to appropriately serve local needs. Clayton Green is identified as a District Centre in the town centres hierarchy.
36. The Core Strategy does not provide a policy for dealing with retail proposals located outside of town centres (or sites identified for retail development). In addition, it does not set a local threshold, below which an impact assessment in terms of paragraph 26 of the Framework is not required.
37. Policy EP9 indicates that outside District and Local Centres, changes of use and development for small scale shopping and town centre uses (either as part of mixed use developments or in isolation), will be permitted where the development meets a local need; there is no harm to the amenity of the area; and the sequential test and impact assessment are satisfied.
38. The Local Plan retail and town centre policies do not provide a local threshold below which an impact assessment is not required. Overall, Development Plan policies do not set a local threshold relating to the assessment of impact. Consequently, the default threshold of 2,500 square metres set by paragraph 26 of the Framework must apply.
39. It is noted that an objection to the proposed commercial element of the proposal has been submitted by ASDA in relation to the impact on vitality of the Clayton Green District Centre and the ASDA store that is located there.
40. The representations of ASDA set out an estimate of the turnover of the ASDA store at Clayton Green. This is estimated at about £34.8 million at 2017 rising to about £35.5 million in 2022. These figures are derived by assuming a convenience goods sales area of 3,043 square metres (out of a total sales area of 4,682 square metres); and an average sales density of £11,427 per square metre (this is a 2015/16 figure derived from Mintel Retail Rankings 2017).
41. There are a number of points to note:
 - The turnover estimate relates to convenience floorspace in the store only. Some 35% of the sales area is devoted to the sale of comparison goods. As a consequence, the total store turnover at 2017 is likely to be considerably higher than the £34.8 million set out in the Asda objection.
 - The assumed average sales density of £11,427 per square metre applies to all ASDA floorspace (convenience and comparison). Consequently, this may be a reasonable estimate to address the total store turnover. The total turnover of the store (all goods) at 2017 would be in the order of £53.5 million.
 - It appears that ASDA rely on published data, which does not reflect local circumstances rather than providing an indication of the actual turnover of this store.

42. In their response to the ASDA objection, the applicant refers to evidence from the Preston City Centre Retail and Leisure Study 2013, which indicates that ASDA achieves a convenience turnover in excess of £51 million at 2017. They also refer to the Central Lancashire Retail and Leisure Review (March 2010) and note that evidence from this study suggests that the store trades at a level approximately 20% above company average. This is historic information but nevertheless, illustrates the fact that ASDA is a successful store.
43. With regard to other evidence, the South Ribble Retail Study 2017 (by WYG) indicates that the convenience turnover of ASDA at Clayton Green is in the order of £52 million at 2017. Evidence produced to support the proposed development at Cuerden produces a figure that is closer to the company average trading level. However, taken in the round, the evidence suggests that ASDA is probably trading at a level above company average for convenience floorspace, perhaps significantly above average.
44. The applicant's response to the ASDA objection does not dispute the assessed convenience turnover of Lidl within the ASDA objection of £9.2 million at 2017. However, it should be noted that the estimate applies the company average to the convenience element of the store. Total net floorspace is 1,488 square metres, which generates a total turnover of circa £11.5 million.
45. ASDA assert that given the nature of the proposal in terms of its scale, format and location, a significant proportion of the turnover is likely to be diverted from the existing ASDA. They say it is not unreasonable to assume that at least 75% of the turnover would be drawn from ASDA. The suggestion that 75% of turnover would be drawn from Asda has no evidential basis, however. The trade draw from existing shopping facilities arising from a new proposal should be based on an analysis of existing shopping patterns. It should also have regard to guidance in the PPG that like will impact on like (Reference ID: 2b-015-20140306).
46. In the first instance therefore, trade to the proposed development is most likely to be drawn from existing discount supermarkets. The response of the applicant refers to Lidl being aware of residents local to the application site travelling to existing Lidl stores elsewhere and other discount foodstores. They also note that this has been confirmed by residents through the public consultation exercise. There are existing Lidl stores at Churchill Way, Leyland and others further afield at Preston, Darwin and Standish. There are Aldi stores located at Harpers Lane, Chorley, Buckshaw Village, Cuerden Way, Bamber Bridge and Towngate, Leyland. It is therefore reasonable to conclude that these existing stores are most likely to experience trade diversion from the application.
47. There is some information on convenience shopping patterns in the Clayton Green area within the South Ribble Retail Study (2017). Clayton Green falls within Zone 6 of the study area. The study shows that total available convenience expenditure arising within this zone is £45 million. ASDA at Clayton Green attracts £14 million of expenditure arising within this zone (about 35% of expenditure). Other significant destinations for convenience shopping within this zone include Tesco and Aldi at Buckshaw Village, various destinations at Leyland including Aldi and Lidl. On a simplistic and pro rata basis, it may be concluded that the trade draw from ASDA is likely to be in the order of 35%-40% of the turnover of the development as opposed to the 75% suggested by ASDA.
48. Assuming the total turnover of Lidl is likely to be in the order of £11.5 million and that 40% would of this turnover would be drawn from ASDA, trade diversion would be approximately £4.6 million. Assuming a total turnover of ASDA (convenience and comparison goods) of circa £51 million, the trading impact would be about 9%. Consequently, it may be concluded that the proposed development is likely to divert about 9% of trade from Asda, as opposed to the 20% suggested in the Asda objection. In some circumstances a trading impact of 9% may be significant in terms of the centre affected. However, there is no suggestion that Asda is trading poorly, indeed the indications are the opposite and the evidence suggests this is a successful store. In these circumstances, an impact of 9% of trade is unlikely to have a significantly adverse effect on the vitality and viability or investment in the centre such as to justify refusing planning permission.

49. In addition to this there is also the possibility of the District Centre benefitting from the presence of the application scheme through linked trips, whether they be on foot or by car. This is due to the difference in offer between the proposed retail convenience store and the existing ASDA, and the additional trade that would be drawn into Clayton Green from elsewhere as set out above.
50. In summary it is clear that in this case there is no requirement upon the applicant to address the issue of impact and it is considered that there is no evidential basis to support the assertions of ASDA that the proposal would have a significantly adverse impact such as to justify the refusal of planning permission.
51. The overall aim of Policy EP9 is to minimise the need to travel, provide a diverse range of services in one central location and make facilities accessible to all. The approach is intended to sustain and focus growth and investment in local centres. It is considered that the applicant has addressed policy EP9 criterion a) and c) of the Chorley Local Plan 2012 - 2026. The proposal meets a local need for convenience retail need as evidenced by the letters of support received and the available retail expenditure in this catchment area that is currently being diverted elsewhere. The site can be readily accessed in its catchment by walking, cycling or public transport. Given the scale of the proposed development, it would not detract from the function, vitality and viability of Clayton Green District Centre. The impact of the proposal on the amenity of an adjacent area – criterion b) EP9 is addressed later in the report.

Residential element

52. 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.
53. Policy 1(d) of the Central Lancashire Core Strategy states that some growth and investment will be encouraged in Urban Local Service Centres to help meet housing and employment needs. Clayton Green is identified as one of the Urban Local Service Centres and therefore the proposed development is in line with this policy.
54. The application site is not allocated within the Local Plan and its lawful use is as a hotel and leisure development with associated formal gardens. One of the core principles of the Framework is that development should be focussed in locations that are sustainable. It is considered that the site is located in a sustainable location within easy access of amenities such as shops, schools, churches and community facilities, and of public transport. The Framework also states that development in sustainable locations should be approved without delay.
55. The proposed development cannot be considered against the provisions of Policy HS3 of the of the Chorley Local Plan 2012 – 2026, which deal with private residential garden development, and this policy relates to development within private residential gardens only, and not those associated with a commercial leisure operation.

Design and impact on the character of the area

Commercial element

56. The proposed retail unit would be positioned on the northern edge of the site, occupying the corner between Preston Road and Westwood Road, within an area that currently accommodates a number of buildings and structures comprising the hotel and leisure complex. The proposed retail unit would be of contemporary design typical of modern commercial units incorporating full height glazing to the main shopfront, white render and grey panelling to other elevations and a shallow mono-pitched roof. This would result in a simple modern design that is not uncommon amongst modern retail units and suits the needs of current retail methods in a functional and efficient manner.

57. The maximum height of the proposed retail unit would be 6.7m, which is lower than the height of a typical 2-storey dwelling house. However, due to the change in land level, the store floor level would be set at a lower level to Preston Road and the part of Westwood Road near to the junction, and lower than neighbouring buildings and, therefore, the building will appear to be lower than neighbouring houses, and would not be prominent from Preston Road or on approaching the roundabout from the north and west. Indeed the proposed store would be less prominent than the existing buildings by virtue of its relatively low level height and reduced mass.
58. There are a range of property types and styles in the area that have been developed over different periods of time from both traditional and modern dwellings to larger commercial and leisure units, such as the ASDA store and the sports centre, resulting in a mix of building designs and types across the locality. The existing building itself developed around a villa of impressive design, however, the significance and quality of this building has been eroded over time through a series of unsympathetic additions and alterations. Although the proposed retail unit would be a distinct departure from the existing building on the site, it would be unobtrusive in its appearance and scale would not compete with buildings of quality nearby on Westwood Road and Preston Road.
59. The scale of the building is appropriate in the context of the site and surrounding structures, particularly given the degree to which the building is set-back in the site. The use of a shallow mono pitched roof as opposed to a dual pitched roof means that the height of the proposed building can be kept to a modest scale in keeping with neighbouring structures.
60. Some of the better quality trees would be retained to the periphery with additional trees and landscaping added to provide a soft buffer between this part of the site and the highway. These would filter views from the highway and help to retain the character of the site. Proposed boundary treatments would be lower level to the front of the store and around Preston Road, with more secure fencing to the rear of the site. The boundary treatments proposed are appropriate and would not be visually incongruous.
61. The commercial part of the proposed development would change the character of the site and result in a physical change to the appearance of the site. However, given the way in which the Pines has developed over time, and the regrettable damage to the character of the original building through continual alteration, its loss and replacement with the proposed retail unit is not considered to be harmful to the appearance of the site or character of the wider locality in the context of the variety of built form in this part of Clayton Green.

Residential element

62. The proposed development of the building comprising 40 retirement apartments would be centrally positioned to the southern part of the site in order to ensure that existing vegetation on the site perimeter is retained and to benefit from this mature landscaping in order to enhance the quality and setting of the building's location. It is noted that there is a distinct levels change across this part of the site, and that the building has been designed in response to this change in levels by providing a lower ground floor level on the eastern elevation. The approach also enables the creation of different external spaces, with the landscaped car parking court located to the west of the building and private landscaped gardens to the east.
63. The apartment building is of a modern design but has taken architectural cues from buildings in the locality through the use of characteristic gables and a palette of materials, to include red brick, render and slate coloured roof tiles. The two and three-storey frontage sits comfortably with the eaves and ridge heights of neighbouring properties, with projections and recessions breaking down the massing of the building, and would have an appropriately domestic character.
64. Whilst the development achieves a higher density than is generally prevalent in the immediate area, it is able to achieve a more efficient use of land as a result of the type of accommodation proposed and the design of the scheme in adapting to the physical site constraints. As the proposed apartment building would be located quite far into the site, to

the rear of dwellings on Preston Road, it would not be visually prominent from public areas being located some 75m from Preston Road and 100m from Westwood Road with intervening buildings and trees. Therefore given the scale, appearance and positioning of the proposed apartment building there would be no harmful impact on the character of the locality.

65. The apartment building and its associated car park would be located on the formal garden area of the hotel and leisure complex. The gardens were undoubtedly a pleasurable part of the site, for those that were able to benefit from using them, however, they have since become somewhat wild through lack of management. This in itself presents a degree of visual interest and landscape character, however, it is of little benefit to the public being private land and inaccessible. The proposed development would retain a high proportion of the best trees on the site and would bolster existing peripheral landscaping for the benefit of existing and further residents. This would help to retain the sylvan character of the site. The boundary treatments proposed are suitably domestic and are considered appropriate.
66. Overall the layout and design of the proposed development is considered acceptable and appropriate in the context of existing surrounding development and is in accordance with policy 17 of the Core Strategy and policy BNE1 of the Chorley Local Plan 2012 – 2026.

Impact on neighbour amenity

Commercial element

67. The proposed retail unit would be located approximately 28m from the nearest dwelling at 586 Preston Road. The retail unit would be set at a lower level to this property and given the degree of separation and relative positioning would have no impact on light, outlook or privacy. The retail unit would be positioned further from other dwellings and would therefore have no other physical impact on amenity.
68. The proposed development has the potential to impact on neighbouring amenity through increased noise and disturbance. It is acknowledged that a new retail unit would result in the arrival and departure of customers, the delivery of goods and collection of waste and installation of fixed plant, that would differ from the noise and disturbance generated from a hotel and leisure complex when in use.
69. The majority of activity would take place to the frontage on Preston Road, and between the proposed retail unit and proposed apartment building. Deliveries and plant would be concentrated to the east of the site away from dwellings.
70. The applicant has submitted a detail noise assessment with the application that relates to the potential impact of the operational noise arising from mechanical services plant; servicing and customer cars.
71. The Council's Environmental Health Officer confirms that the noise assessment uses an appropriate assessment method in the form of BS4142 (British Standard 4142:2014 - Methods for rating and assessing industrial and commercial sound) to consider the noise impacts from customer car movements, fixed plant including an air conditioning unit, a heat pump and a dry cooler and noise from HGV deliveries. Two monitoring locations have been considered, the first being at 586 Preston Road to the north of the proposed Lidl Store and the second being the proposed McCarthy and Stone retirement village to the south. Noise from customer car movements and HGV deliveries have not be considered at 586 Preston Road due to the screening effect of the proposed Lidl store.
72. The conclusions of the report based on the BS4142 assessment are as follows:
 - Noise from customer car movements at the proposed retirement village will result in an increase in noise levels of 0.1dB (Laeq) and is therefore not significant. Comment is also made that the calculations are conservative due to them being based on a comparison between car movements during the peak hour and the lowest daytime ambient noise level.

- Noise from fixed plant at the nearest residential property will be 19dB(A) below the lowest ambient noise levels during the day and 17dB(A) below the lowest ambient noise levels at night and will therefore not result in a significant increase in ambient noise levels.
 - Noise from HGV deliveries at the proposed retirement village will be 12dB(A) below the lowest ambient noise levels during the day and 6dB(A) below the lowest ambient noise levels at night and will therefore not result in a significant increase in ambient noise levels.
73. It is accepted that the conclusions of the assessment in terms of noise from customer car movements and fixed plant and that the result of the BS4142 assessment for HGV movements indicates a low impact on existing dwellings. However, there is concern that the predicted internal noise levels of 34dB(A) at the retirement village arising from noise from deliveries at the proposed Lidl store, exceeds the recommended internal night time noise level of 30dB (L_{aeq}) as outlined in BS8233 (British Standard 8233, Guidance on sound insulation and noise reduction for buildings).
74. Although it is recognised that existing ambient noise from road traffic is likely to be the dominant noise source, it is considered that the nature of noise from deliveries is such that there is the potential to cause greater disturbance to the occupiers of nearby residential properties than general noise from traffic. It is therefore recommended that a condition restricting the hours of delivery, loading and unloading is attached to any grant of planning permission to restrict the impact of noise from deliveries upon the future occupiers of the proposed apartments. It is also recommended that conditions controlling hours of operation are attached to any grant of planning permission to ensure that the amenities of the neighbours are protected.
75. All internal and external lighting, including the car park lighting, would be controlled by the store's Building Management System. All external lighting would be controlled by timers and remote sensors. The timers ensure that the lighting would only operate during certain times of the day, with the remote sensors ensuring that lights only operate when natural day light falls below a pre-set limit.
76. The Building Management System would permit all external lighting to switch on 1 hour before store opening (to assist the arrival of staff) and switch off 1 hour after store closing (to assist staff departures). Lighting would only automatically switch on if natural light levels are sufficiently low. Accordingly, the proposed lighting would not be illuminated overnight at any time and would only be illuminated during the day time if natural light levels fall below the pre-set sensor limit.
77. On the basis of the above it is not considered that there would be any adverse impact on the amenity of existing and future residents through the development and operation of the proposed retail unit.

Residential element

78. The proposed apartment building would be located to the south of the application site, in the position of the formal gardens and would be positioned to the rear of three dwellings on Preston Road and to the sides of two dwellings on Radburn Close.
79. The dwellings at 556 to 560 Preston Road are set in large plots and have rear gardens adjoining and overlooking the existing formal garden area at the Pines site. As such these properties enjoy views over the gardens, albeit filtered by trees and landscaping to the boundary. This provides a pleasant outlook for the occupiers of 556 to 560 Preston Road.
80. The proposed apartment building would have a western elevation of 2 and 3 storeys facing the properties on Preston Road. The building would be located approximately 48m at it nearest point, which would be from the rear of 558 Preston Road and a part of the building that is 3 storey in height. The building would be approximately 28m from the rear garden boundary of this dwelling. The proposed apartment building would be set at a lower level to

the properties on Preston Road, and as such the ridge and eaves height of the apartment building are lower than the ridge and eaves of the dwelling at 558 Preston Road.

81. The proposed apartment building would undoubtedly be visible from the properties on Preston Road and would impact upon the outlook that the occupiers of these dwellings currently enjoy, particularly that of 558 Preston Road. Given that the site is previously developed site in the settlement area that is no longer in use, it must be anticipated that the development of the site would inevitable at some stage. The proposed development would present a building of considerable mass, which would contrast greatly with the open views currently enjoyed, however, this would be positioned at a significant distance from the dwellings and gardens on Preston Road, when considered in the context of development in an urban location.
82. To put this into context any alternative development of the site could include housing located in closer proximity that that which is proposed here. Such houses could be presented in the form of town houses not dissimilar in height and mass to the proposed apartments, or large detached houses with much reduced interface standards, depending on the position of windows. However, the applicant can only be assessed on the basis of what is proposed.
83. Although the proposed development will impact on the outlook of the occupiers of 556 to 560 Preston Road in contrast to the present situation, and that such change may be difficult for those occupiers to accept, it is not considered that this impact is so harmful, when considered in the context of urban development more generally, that it could be considered unacceptable and would warrant refusal of the application.
84. There would be parallel facing windows between the two properties, however, the distance of approximately 48m far exceeds the Council's 21m guideline standard, as does the distance between the apartments and the garden boundary at approximately 28m and a guideline distance of 10m. In addition to this there are trees that would be retained along the boundary that would filter views between the two sites. Given the significant degree of separation there would be no unacceptable impact on privacy.
85. There would be a limited impact on light by virtue of the scale of the proposed building, its positioning to the east and presence of mature trees to be retained along the boundary.
86. It is noted that a car park and turning area would be located between the proposed apartment building and rear gardens of properties on Preston Road, and that the site would become more actively used. This would be set at a lower level, approximately 25m from the dwellings at the nearest point. The effect of the level change would reduce the visibility of the car parking area and the cars that would use it to a point where its visual impact would be limited. In terms of the noise and disturbance generated the site would be in domestic use for retirement apartments. As such the level of noise and disturbance that would be generated from comings and goings is anticipated to be limited and would be consistent in the context of the residential part of the site.
87. The proposed apartment building would be located approximately 22m north and west of the dwelling at 13 Radburn Close and approximately 20m from the garden boundary at the nearest point. It would be sited at a higher level to 13 Radburn Close. The apartment building has been designed so that the section of the building closest to neighbouring properties on Radburn Close is one storey lower than the rest of the building. Accordingly, whilst the building as a whole extends up to 4-storeys in height, that part of the building closest to Radburn Close will be no more than 3-storeys.
88. The proposed apartment building would be orientated so that its closest elevations to 13 Radburn Close face due south and east. As such the apartment building would only be visible at an obscure angle from the rear windows of 13 Radburn Close and would not have any windows or elevations facing those windows in the rear elevation at 13 Radburn Close. As such there would be no impact on privacy in relation to the dwelling itself.

89. Although the building would be visible it would only start to pass beyond an obscure angle of sight as it extends away from 13 Radburn Close at some distance away (approximately 30m) when taking a 45 degree line from the near edge of the closest window to a habitable room at 13 Radburn Close. It is also noted that it is proposed to retain the existing mature trees and shrubs along the site boundary, which provides substantial screening and filtering of views. This existing vegetation would be complemented by additional landscaping works and would be managed by the site owner (McCarthy & Stone) to ensure that the vegetation provides effective screening and maintains an acceptable standard of visual amenity.
90. Therefore even in consideration of the levels difference between the site and 13 Radburn Close it is not considered that there would be an unacceptable impact on outlook. In addition to this, given that the apartment building would be located to the north west of the dwelling it is not considered that there would be an unacceptable impact on direct light in relation to the dwelling.
91. There is some concern in relation to the impact of the apartment building in relation to the amenity that may be enjoyed in the rear garden at 13 Radburn Close, given that the building would directly face the garden and would be 3 storeys at this position. The apartment building has habitable rooms facing the garden at a distance of between 20m and 25m to the boundary. The Council's guideline standards for such an interface is 10m, therefore it is considered that the additional distance over and above this standard provides an adequate degree of protection given the increased building height and levels, and the retention of substantial landscaping and mature trees along the boundary, which would effectively filter views.
92. Again it is recognised that the contrast with the present situation, is such that there would undoubtedly be an impact upon the residents of 13 Radburn Close and that such change may be difficult for the occupiers to accept. It is not, however, considered that this impact is so harmful, when considered in the context of urban development more generally, that it could be considered unacceptable and would warrant refusal of the application.
93. There is also a dwelling at 11 Radburn Close that bounds the site. This would be located approximately 24m to the south of the proposed apartment building. Given the relative positioning and degree of separation it is considered that there would be no adverse impact on the amenity of the occupiers of this dwelling.
94. Any impact through noise and disturbance from the proposed apartments building would be limited to that of a domestic nature, which is appropriate in the context of residential dwellings. Noise and disturbance is also anticipated to be relatively limited even for a residential development given that the scheme is for retirement apartments aimed at over 55's.
95. The lighting proposed as part of the residential element would include bollard lighting to the access road and car park area, with eyelid lighting attached to the building in other areas. Lighting of this type would be suitably unobtrusive to protect the amenity of future residents and would present an attractive appearance. It is not considered that the proposed lighting scheme would cause any harm to the amenity of neighbouring occupiers.
96. On the basis of the above it is not considered that the proposed development would result in any harmful impact on the amenity of nearby occupiers to the extent that planning permission should be refused.

Impact on highway safety

97. A Transport Assessment (TA) has been submitted setting out the transport issues relating to the proposed redevelopment. In line with its obligations, Lancashire County Council (LCC) has with regard to relevant policies analysed the TA and the associated application documents to ensure the proposed redevelopment does not potentially endanger safe movement of pedestrians, cyclists, residents, the general public and movement of goods on the highway network. The TA was therefore analysed taking into account the proposed

access strategy, measures proposed to reduce need to travel by car, accessibility of the site by sustainable modes of travel such as walking, cycling and public transport; the impacts of trips associated with the redevelopment on the existing highway network and the applicant's proposed measures towards managing and mitigating such impacts.

98. Officers from LCC have undertaken a number of site visits as part of the highway authority assessments and a hosted joint meeting held on 11 September 2017 with the developers (Lidl) and their transport consultants (SCP) to address the initial highway concerns associated with the development proposal.
99. Subsequent to the meeting SCP have submitted a Technical Note. The Technical Note has been studied to ensure that any amendments and additional measures put forward by the applicant are in line with discussions at the meeting and sufficient in detail in addressing the highway concerns.
100. The site covers an area of 1.40 hectares and is located on the south east corner of the A6 Preston Road and the B5256 Westwood Road roundabout in Clayton Green. It is fronted by the A6 Preston Road, adjoined to the east by the Westwood Primary School and bordered to the north by the B5256 Westwood Road. Across the B5256 Westwood Road, north of the site are residential houses and the St Bede's RC Primary Schools and Church. To the north west of the site lies the Clayton Green Business Park that incorporates offices, the Clayton Green Library and the Clayton Green Sports Centre. The Business Park is adjoined by an ASDA Superstore to the west, while the south of the site is occupied predominantly by residential houses.
101. The site frontage is lined with trees some of which are subject to Tree Preservation Orders. Preston Road is subject to a 40mph speed limit and Westwood Road to a 30mph speed limit.
102. The TA investigates the Personal Injury Accidents in the area for the past 5 years, during which there were 9 recorded traffic accidents all resulting in slight injuries. The details of the accidents are in paragraph 2.10 of the TA. The accident analysis shows that five involved cyclists or pedestrians. The TA concluded that the accidents raised no concerns. LCC do not agree with this statement and raised this with the developer at the meeting.
103. In response to LCC's concerns, the applicant pointed to proposed pedestrian/cyclist improvement schemes at the roundabout, shown on proposed drawing, SCP/16329/SK04 (02.06.2017), which include improving the existing traffic islands on Clayton Green Road and Westwood Road into pedestrian refuges with tactile paving to facilitate crossing, providing pedestrian refuges in both directions of the site access on Preston Road and also at the site access to enable safe crossing. The applicant noted that these measures should be adequate for improved pedestrians/cyclists safety. The highway authority considers the revised measures sufficient and acceptable, but requested the proposed pedestrian refuge located north of the site access to be positioned nearer the right turn lane to provide protection against southbound traffic colliding with traffic turning right into the site. This would require possible repositioning of the pedestrian walkway from the site closer to the refuge. The applicant was also requested to improve the existing traffic island at the Preston Road south end of the roundabout (opposite 572 Preston Road) to a pedestrian refuge with tactile paving in similar manner as those proposed for Clayton Green Road and Westwood Road to accommodate safe crossing of Preston Road by pedestrians heading to Clayton Green Road from Westwood Road and vice versa. The implementation of these measures should see improvements in the current rate of pedestrians/cyclists accidents at the roundabout. LCC therefore considers the measures adequate to mitigate the impact of the development.
104. The developer commissioned a traffic speed survey on Preston Road within the vicinity of the site to establish the speed at which vehicles were travelling. Analysis of the survey shows that the 85th percentile speed of vehicles travelling south to be 32.35mph and 33.68 mph for northbound traffic. Based on on-site observations LCC are satisfied that these results are representative of existing traffic conditions.

105. The applicant also undertook traffic turning counts at the Preston Road/Westwood Road/Clayton Green Road roundabout to establish existing traffic levels. The survey data in appendix 1 of the TA have been checked with the existing peak hour trip generation figures shown in paragraph 2.7, Table 2.1 and found to be satisfactory.
106. Developments of this nature generally have their greatest impact in the weekday evening peak hour (usually 17:00–18:00) and in the midday Saturday peak hour. The developer has based their impact analysis around these hours and as such LCC are satisfied that appropriate time periods have been assessed.

Site access

107. The site is currently accessed from Preston Road, but as part of the proposed access strategy, the existing access is to be improved to reflect the proposed use and to ensure that HGVs can be accommodated. The improvements include provision of right turn lane on Preston Road to facilitate entry into the site, a pedestrian refuge in each direction of the access and a central refuge to enable pedestrians to safely walk from one end of the access to the other. The exit lane of the access includes provision for left and right turns. The layout of the site access is generally acceptable, however, LCC expressed concern, given the residential element of the proposal about left turning traffic having to utilise significant portion of the right turn lane to be able to exit as shown on drawing SCP/16329/ATRSK03 (02.06.2017).
108. The applicant explained that the location of the Lidl Distribution Centre means that HGVs bringing deliveries to the site will come from the direction of the roundabout and return in the same direction and as such will not usually be required to turn left at the access. If the need arise for delivery vehicles to turn left, the applicant maintained that vehicles would simply have to wait for traffic to clear before making the turn. It is anticipated that there would only be one dedicated delivery to the site per average day which would increase to two during busy periods such as Easter and Christmas. To limit HGV turns at the access and curtail delays, there will be no deliveries to the site during busy trading hours and traffic peak hours and refuse/waste generated at the site would be taken away by the same vehicles that bring deliveries. LCC accepts this explanation and agreed that if the access was to be further widened for left turning vehicles to be fully accommodated in the left turn lane, there may be implication for pedestrians crossing at the access who would require prolonged periods to complete the crossing.
109. The applicant has demonstrated that visibility splays of 2.4m x 70m to the south and 2.4m x 71m to the north can be achieved. This is acceptable given the 85th percentile speeds shown above and the fact that the applicant has indicated on drawing, LD-07175-SPACE-00-XX-DR-A-91-0001-S3-P7 rev. P7 that some of the existing trees currently obscuring visibility are to be removed. The highway authority therefore accepts the arrangement of the proposed site access.

Traffic Impact Assessment

110. The TA presents the existing and the proposed trip generation that could be expected for the proposed development during the weekday peak hours of 17:00 – 18:00 and Saturday peak hours of 11:15–12:15. TRICS trip rates (TRICS or Trip Rate Information Computer System is a database of trip rates for developments for transport planning purposes, specifically to quantify the trip generation of new developments) were used to estimate the trips generated by the previous use as a 35-bed hotel, while trips to be generated by the proposed convenience store were estimated based on an average of 11 existing surveyed Lidl Store sites. The estimate shows that the existing 35-bed hotel generated 14 and 13 two-way trips respectively during weekday AM and PM peaks, with 27 and 21 two-way trips generated during Saturday AM and PM peaks.
111. The average trip rate calculated from an average of 11 existing Lidl Stores at different parts of the country as in appendix 8 is noted. However, the highway authority's attention has also been drawn to a TA produced by the same SCP consultants, submitted in relation to similar Lidl convenience retail store elsewhere in Todmorden in West Yorkshire which

shows higher trip rates for the existing Lidl Store sites that could have been applied in the case of the current proposal than the TRICS based rates used as shown in paragraph 5.7 (Table 5.3) of the TA. If the higher trip rates in that TA were to have been used for this proposal, the estimated trip generation as shown in paragraph 5.8 (Table 5.4) of the TA would have been higher. In order not to lead to an underestimation of the likely trip generation potential of the proposed development, the applicant was requested to reassess the trip rates.

112. The applicant explained that the trip rates for the Todmorden TA were based on three existing sites in Wrexham, Wallasey and Holywell and are higher than those used in this application. However, the trip rates used in this application are based on a much larger area of 11 existing store sites and are more recent than those used for Todmorden. Nonetheless, the applicant has carried out the reassessment as requested by LCC using a more up to date (2016) trip rates of six Lidl stores currently available on the TRICS database.
113. The estimated trip rates and trip generation based on the six Lidl stores in TRICS 2016 are shown in paragraph 24 (Table 1) and paragraph 25 (Table 2) respectively of the submitted Technical Note and shows lower values both for the trip rates and the trip generation than indicated in the submitted TA. From the results shown, it is not considered the trip generation potential of the proposed development would be underestimated. Therefore, the estimated trip rates and the trip generation figures based on the six Lidl stores in TRICS 2016 are accepted.
114. In response to LCC query as to why the TRICS trip rates were based on the selection criteria of 'retail floor area' (RFA) instead of 'gross floor area' (GFA), the applicant explained that, Lidl stores always base TRICS trip rates on the selection criteria of 'retail floor area' as it produces a more accurate assessment and would not lead to the impact of the proposed development being underestimated. The highway authority raise no objection to the use of the RFA.
115. As indicated above, the hotel ceased operating in August 2016, therefore, in order to provide a robust assessment of the likely traffic impact, trips predicted to be generated by the proposed development should be viewed as completely new without having to deduct existing flows associated with the previous use of the site as a hotel. It is therefore not considered that the comparison made of trip generation of the proposed development with the existing hotel in the TA was necessary.
116. The proposed site access will be shared with a residential development of 40 retirement apartments comprising of 23no. 1-bedroom and 17no. 2-bedrooms with parking for 32 vehicles. Traffic which would be generated by the residential development has been considered at this stage to see how it would impact the proposed commercial development. The applicant used a 12 hour (07:00-19:00) survey of six Retirement Living Housing developments carried out in 2015 and 2016 at different locations in the country, which shows the average trip generation for an apartment within the 12 hour period to be 1.54. It was anticipated that there would be few additional movements outside the 12 hour period. Based on this, the applicant estimates that the proposed 40 retirement living apartments would generate in the region of 62 vehicle movements per the 12 hour period, which in the case of the proposed development means that at the peak period between 17:00 and 18:00, the retirement apartments would generate two arrivals and one departure for the whole of the residential part of the site. This level of trips is considered negligible and as such not considered in the capacity assessments. LCC have no issues with this aspect.
117. With regards to trips associated with the proposed development, the applicant assumed that 50% of trips new to the highway network will be introduced as a result of the proposed development and as the proposed convenience retail store is on a route leading to Preston and Chorley, 50% of trips would constitute pass-by trips and would have already existed on the highway network. While the assumption is acceptable, the applicant appears to have only assessed the impact of pass-by trips on the proposed site access without assessing the impact of trips on the Preston Road/Westwood Road/Clayton Green Road roundabout which is in close proximity of the site. This was raised with the applicant and has now been

addressed in the Technical Note. As shown in paragraph 30 (Figure 1), using the PM peak only due to it being worse case than the Saturday peak, the pass-by trips are estimated as 70% of the non-primary trips with 30% being diverted towards Clayton Green Road and Westwood Road. The highway authority agrees with the applicant that the 30% diverted trips which equates to 8 trips will have minimal impact on the operation of the roundabout.

Trip distribution and assignment

118. The percentage of new and pass-by trip distribution shown appendixes 10.1 and 10.2 of the TA are noted and also the percentage trip assignments shown in appendixes 10.3 and 10.4. The total development trips shown in appendix 10.5 are also noted. No highway objection is raised to these figures.

Traffic growth

119. The applicant has used a specialised software, TEMPRO v7.2 to calculate background traffic growth from the survey year of 2017 and applied base flows to obtain flows for the design year of 2023 which were then used to assess the impact of the proposed development. The applicant's growth estimate was based on the wider Chorley area. It was however considered using growth rates for a more localised area of Clayton Green and Whittle-le-Woods might produce higher growth factors than indicated in paragraph 5.27 (Table 5.10) of the TA. There are a number of retail outlets in the area and using the lower growth factors in assessing the junction capacity would most likely produce higher capacity estimates and ultimately affect the assessment of the impact of the proposed development. The applicant was therefore requested to reassess the traffic growth. The TEMPRO was re-run and the growth estimate recalculated based on a more localised area as requested.

120. The growth factors obtained for the re-run are higher than those previously used in the TA for the 2017-2023 survey and design years. The comparative growth factors are shown in paragraph 35 (Table 3) of the Technical Note. The change in the growth factors has resulted in an increased Passenger Car Unit (PCU) movement through the roundabout in the PM peak by 34 in 2023 and by 30 in the Saturday peak period. The applicant however states that notwithstanding this increased PCU, given the reduction in PCUs due to the reduced trip rates following use of the 2016 Lidl TRICS trip rates, the 'actual' increase in PCU movement at the roundabout would be by 28 for both weekday and Saturday peaks which would be distributed over all arms of the roundabout. Although the increased PCU in the 2023 base year is of highway concern, from the trip distribution and assignment diagrams in appendix 10, it is not considered the PCU increase of 28 in 2023 will lead to severe queues and delays at the roundabout. The applicant's calculation of the traffic growth is therefore accepted.

Committed developments

121. The applicant makes no assessment of committed developments that have potential to generate trips that can lead to possible. The land to the front and east of the St Bedes Roman Catholic Primary School, a total of 1.3 hectares have been allocated in the Chorley Local Plan 2012-2026 for housing development under Policy HS1.29 for 23 houses. It is however not considered traffic to be associated with the 23 houses would have major implication for traffic flows at the roundabout. LCC advise that the applicant would not therefore be required to make additional provision towards mitigating traffic impacts of the 23 houses.

Impact of development trips

122. An assessment of the impact of the development traffic on the junction of the site access and Preston Road; and the Preston Road/Westwood Road/Clayton Green Road roundabout have been carried out using specialist software. The capacity of the junctions were assessed as part of the excise to establish how the junctions would operate during the assessment year of 2023 (in accordance with the Department for Transport's *Guidance on Transport Assessment*, which states "for the local transport network, a development should be assessed with regard to the LDF, and for a period of no less than five years after the date of registration of a planning application"; the future assessment year for this TA is 2023).

123. The result of the assessment shows the highest ratio of flow to capacity (RFC) of the junction of the site access and Preston Road as 0.32 in respect of vehicles leaving the site and turning right onto Preston Road. This value is within the range of 0 – 0.85 usually considered acceptable to indicate the junction will operate without problems. As an indication of possible queues at the junction is when the range of values is between 0.85 – 1.0, looking at the estimated values derived from the assessment as shown on Table 6.1, paragraph 6.5 of the TA, it is considered that the impact of the development trips on the junction of the site access and Preston Road during the assessment year of 2023 would be minimal.

124. In terms of the impact of the development trips on the Preston Road/Westwood Road/Clayton Green Road roundabout, it is generally accepted that at locations where the value of RFC is in excess of 1.0, there would be congestion at the junction with queues leading to delays. The result of the assessment of the roundabout as on Table 6.3, paragraph 6.8 of the TA shows RFC values for the assessment year of 2023 as high as 0.95 for southbound traffic on Preston Road and 0.96 for northbound traffic on Preston Road which shows that the roundabout currently operates close to capacity.

125. As a result of the reassessment of the growth factors, trip rates and trip types necessitated by the use of the 2016 Lidl TRICS Trip Rates, the model has been re-run in line with the changes. The updated output is shown in paragraph 43 (Table 4) of the Technical Note. The output shows that Preston Road in the north direction will operate with an RFC of 0.95 with a queue of 13.1 PCU during the PM peak in the assessment year of 2023 without development trips. If the development trips are added, this would rise to 0.97 RFC with a queue of 17.4 PCU. These values are similar to those in the submitted TA and shows that by the year 2023, the roundabout would operate very close to capacity with queues. While this is of concern to the highway authority, the applicant's observation that the queues would occur over two lanes and will not be too long as to obstruct driveways etc. is acceptable.

Traffic impact mitigation

126. To mitigate the impact of development trips on the Preston Road/Westwood Road/Clayton Green Road roundabout, the applicant proposes to carry out physical improvements to widen the existing single lane entries for Preston Road south approach and Clayton Green Road approach to the roundabout. This proposal is acceptable and is shown on drawing no. SCP/16329/F01 rev. A (06.04.2017).

Sustainability/Accessibility by Non-Car Modes Pedestrians and cyclists

127. The site is in a District Centre within acceptable walking distance of other shops, local services and amenities and there are good quality footways in the area to contribute to conductive routes for pedestrians to and from the site. To further improve accessibility and facilitate safe crossing of the road, the applicant proposes to install two pedestrian refuges outside the site on Preston Road and a central refuge at the site access with associated dropped kerbs and tactile paving to assist pedestrians and cyclists. Improvements are also proposed to the existing traffic islands on Clayton Green Road and Westwood Road.

128. The above improvements are acceptable, however, LCC Highways recommend that similar improvement should be carried out to the existing traffic island at the Preston Road south end of the roundabout (opposite 572 Preston Road) to a pedestrian refuge with tactile paving to facilitate safe crossing for pedestrians and cyclists from Westwood Road to Clayton Green Road and vice versa. Pedestrians and cyclists heading in these directions are unlikely to walk towards the site access to cross Preston Road at the proposed pedestrian refuge north of the site access due to its distance from the roundabout and the fact that they would most likely follow their desire lines and cross at the existing traffic island. In addition, the existing dropped crossing of 572 Preston Road should be reinstated with new kerb realignments. The existing dropped crossings at the Preston Road north end of the roundabout should also be provided with tactile paving to make the crossings on all four arms of the roundabout continuous and consistent. It is recommended that the details of

such improvements are set out in a scheme required by condition. The implementation and funding of these works would be negotiated with LCC through a Section 278 agreement.

129. LCC has plans to extend the existing cycle route from the Westwood Primary School to the Preston Road/Westwood Road/Clayton Green Road roundabout. Discussions took place as to whether the developer should be asked to contribute towards implementing this scheme for improved sustainability of the site. As LCC is yet to take a firm decision on the proposed cycle route and the fact that the roads in the area are generally suitable for cycling, it was agreed that cyclists should have no difficulties accessing the site. The applicant is therefore not expected to contribute towards the extension of the cycle route as the measures proposed are considered adequate to ensure accessibility of the site both on foot and by bike.

Public transport

130. There are three bus stop locations within 200m walking distance of the site to the north and south on Preston Road and on Westwood Road. The bus stop on Clayton Green Road to the west is under 300m walking distance of the site. From these stops, frequent and regular services are provided to various destinations Mondays to Saturdays, with evening and Sunday services.
131. LCC considers that for accessibility, there is adequate public transport provision close to the development, however, to further encourage the use of public transport LCC considers it appropriate to require the developer to upgrade these bus stops with raised boarding areas to assist those with mobility issues and meet the requirements of the Framework. The Framework requires developers to maximise their efforts in creating a modal shift toward more sustainable modes of travel. It is recommended that the details of such improvements are set out in a scheme required by condition. The implementation and funding of these works would be negotiated with LCC through a Section 278 agreement.

Car parking

132. Policy ST4 of the Chorley Local Plan states that proposals for developments should make parking provision in accordance with set standards. The standard with respect to A1 food retail development is for parking to be provided on a scale of 1 space per 14m² gross floor area of the proposed development plus 6% of total provision for the disabled. Based on the proposed scale of development, a total of 161 spaces would be required to include 9 spaces for the disabled. In addition, spaces for a minimum of 2 bicycles and 2 motorcycles are required. The applicant however proposes 99 including 6 spaces for the disabled. The proposed number is clearly below standard requirement, but to support the number proposed, the applicant has undertaken parking accumulation exercise to demonstrate that the highest number of vehicles that would require parking on site would occur on Saturdays between 11.30 – 11.45 and this number would be 68. As this number is significantly less than the 99 spaces proposed, the applicant considers that the proposed number would be more than enough to cater for the site's parking needs without parking being displaced onto adjacent roads.
133. The policy also states that locations that are more sustainable and well served by public transport may be considered for lower level of parking provision if there are good quality footways with street lighting, good quality cyclists provision, good quality bus stops within short distance of the site with frequent services etc. There is evidence these local circumstances exist in the area, as such, it is not considered that highway objection to the proposal on the basis of inadequate number of parking spaces alone can be sustained. As such, the proposed 99 car parking spaces is acceptable.

Servicing

134. The service area is located to the east of the building, but looks small in size with possible overrunning of car parking spaces by delivery vehicles. The safety implication of this arrangement was raised with the applicant, who explained that since the number of deliveries to the store per average day will only be a maximum of two with no deliveries being made during busy trading periods adequate room will be made available prior to

arrival to ensure deliveries are safely conducted. It is considered that this is would result in an acceptable arrangement.

Stage 1 Road Safety Audit

135. The developer commissioned an independent Stage 1 Road Safety Audit (RSA) on the proposed access and highway works. The RSA raised a number of concerns. The applicant's response to the RSA is noted. Whilst some of the recommendations have been accepted, others have either already been designed for in the proposal or not accepted by the applicant. It should be stressed that the findings of a RSA should be implemented in order to eliminate as much as possible of all associated risks. The highways authority therefore welcomes the applicant's statement in paragraph 3 of the submitted Designers Response to the safety audit that all issues raised in the safety audit can be satisfactorily addressed through technical approval and further safety audit process.

Section 278 agreement

136. All works within the highway, including works associated with the site access and to the roundabout would be carried out through an s278 legal agreement with LCC.

Construction

137. During the construction period significant vehicle movements will take place. To ensure that the movements can be facilitated safely LCC consider it appropriate for a Construction Management Plan (CMP) including a Construction Method Statement (CMS) to be in place and adhered to. To facilitate the safe movement of vehicle at the site access it is recommended that the site access works (right turn provision and refuges) be in place prior to construction taking place. The remaining highway works would need to be in place prior to the development opening. It is recommended that the provision of a Construction Method Statement is required by condition.

Travel plan

138. The submitted framework travel plan is in line with LCC's submission criteria, therefore, a full travel plan should be developed along the timescales outlined within the framework travel plan. Based on the size of proposed development, the LCC request £12,000, secured through an s106 agreement to provide a range of services to support the developer in providing the full travel plan. It is considered that this is necessary to make the development acceptable in highway terms, and that the necessary funding for the services of LCC are secured through a s106 agreement.

Conclusion

139. To conclude there are no highway objections to the proposed development subject to the provision of suitable mitigation and on the basis that appropriate highway safety measures are implemented and a full travel plan is developed. The proposal is, therefore, considered acceptable in relation to parking and highway safety.

Ecology

140. An Ecological Assessment has been submitted with the application and reviewed by the Council's ecology advisor. The assessment has identified a number of potential ecological issues, including bats, nesting birds, Japanese knotweed, mammals and loss of trees and that issues relating to bats, other mammals and mitigation for loss of trees should be resolved prior to determination.

141. The building and woodland were assessed for bat roosting potential. This determined the risk was moderate to high and therefore required further emergence surveys for the building and activity surveys for the woodland. Emergence surveys were subsequently carried out. The ecology advisor confirms that no evidence of bats roosting within the buildings was identified, and that no further surveys are therefore required. However precautionary measures are recommended, and are proposed to be secured by a condition.

142. The initial assessment identified the possible presence of fox, rabbit and hedgehog, the latter a UK Biodiversity Priority species. The species identified are not protected under UK Wildlife law. They are, however, protected under UK mammal welfare law (Wild Mammal

(Protection) Act 1996). Further survey work has established that no mammal holes have been recorded on the site. Evidence of badgers using the site was recorded in the form of badger dung and pathways across the lawns. There are also gaps beneath the boundary fence to the east, which suggest that it is likely that badgers forage on the site. As badgers and other mammals forage across the site it is considered that measures to minimise the impact on wild mammals should be set out in a method statement prior to the commencement of any earthworks in the area of the formal gardens.

143. As bat roosting and bird nesting opportunities would be reduced due to the proposed development the Council's ecology advisor recommended that either four integral bat boxes should be incorporated in the new buildings, or four bat boxes should be installed on suitable retained trees. Specifications and suggested locations are provided in the Bat Survey Report provided. Bird boxes should also be installed on suitable retained trees and a lighting strategy should be designed to avoid illuminating the trees and bat boxes. This can be controlled by a condition.
144. Japanese knotweed was located on the site, within the footprint of "phase 1", the convenience store. This species is listed under Schedule 9 part 2 of the Wildlife & Countryside Act 1981, as amended. It has since been determined that the knotweed is located on the boundary of the adjacent school site and that this has been recently treated.

Landscaping and trees

145. The proposed landscaping has been designed to integrate with the proposed scheme and is sympathetic to the character of the area, retaining the better quality trees across the site. The landscaping plan would provide a high standard of amenity, providing an attractive and pleasant outlook for the benefit of local residents and future occupiers.
146. There are a number of protected trees across the site some of which would require removal in order to facilitate development, however, a high proportion of the trees would be retained and additional trees would be planted, along with new shrubs, plants and bulbs across the site. On balance it is considered that the level of tree retention and removal is reasonable and adequate in the context of the proposed development and would retain an acceptable level of public amenity from trees.
147. It is noted that the existing landscaping of the site has become neglected and is in need of management. One of the benefits of the type of development proposed is that the applicants would retain ownership of the landscaped areas of the site and would actively manage these areas throughout the lifetime of the development.

Impact on designated heritage assets

148. The Pines Hotel, whilst once a quite fine Victorian gentlemen's residence has been seriously compromised by expansive 20th Century additions and alterations, to such an extent that any historic interest that it once held is now almost entirely extinguished.
149. The proposed building is considerably lower in height than the Pines Hotel such that its impact on the listed former hand-loom weaver's cottages on Preston Road is likely to be less than is currently the case. This factor combined with the retention of existing trees and proposed landscaping would allow the proposed development to sit comfortably in the location and cause no harm to the setting of the listed buildings.
150. It is therefore considered that the proposed development is in conformity with S.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, S.12 of the Framework, policy 16 of the Core Strategy and policy BNE8 of the Adopted Chorley Local Plan 2012 - 2026.

Affordable housing

151. Due to the size of the residential element of proposal there is normally a requirement for affordable housing to be provided. However, the Council's previous approach to retirement development schemes has been that the nature of what is proposed is a restrictive form of housing that is not openly available market houses. In addition it is unlikely that a Registered

Social Landlord (RSL) would engage on such a scheme and restrict the housing for occupiers aged 55 years and over. It is therefore not considered appropriate to request that affordable housing is provided on site or that a financial contribution is justifiable.

Community Infrastructure Levy

152. 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.

Other matters raised

153. Inadequate capacity and position of sewer from the site into Radburn Close: United Utilities have confirmed that they have considered this site in detail and state that the original site appears to have drained both foul and surface water from the Pines Hotel into Radburn Close. The proposal is to drain foul water only from the supermarket and the residential apartments. It is considered that this will significantly reduce the risk of flooding because the main risk lies with the disposal of surface water, which will now drain to the nearby watercourse.

CONCLUSION

154. The proposed development would result in the redevelopment of a brownfield site in a sustainable urban location. The commercial element of the development would have the benefit of providing additional convenience retail choice, and would create local employment opportunities. Despite there being some impact on the Clayton Green District Centre this is not considered harmful to the extent that this would warrant refusal of the application and it is noted that the location is edge of centre.

155. The residential element would have the benefit of providing housing specifically designed for people of retirement age, for which there is an increasing demand. This has the advantage of freeing up other housing stock as households seek to downsize. Overall the proposal would have no unacceptably detrimental impact on the amenity of neighbouring occupiers and would not harm the appearance of the site and character of the area. In addition the highway safety concerns have been adequately addressed. On the basis of the above, it is recommended that planning permission be granted subject to conditions and a s106 legal agreement to secure the necessary support from LCC to enable the provision of a full travel plan.

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.

RELEVANT HISTORY OF THE SITE

Ref: 95/00227/ADV **Decision:** PERADV **Decision Date:** 19 May 1995
Description: Display of advertisement sign,

Ref: 06/00592/TPO **Decision:** REFTRE **Decision Date:** 6 July 2006
Description: The felling of Scots Pine covered by TPO6 (Chorley) 1982

Ref: 5/5/10516 **Decision:** CLO **Decision Date:** 14 March 1974
Description: Swimming Pool

Ref: 01/00330/FUL **Decision:** PERFPP **Decision Date:** 1 June 2001

Description: Construction of verandah to front.

Ref: 95/00534/FUL **Decision:** PERFPP **Decision Date:** 6 May 1997

Description: Erection of conservatory to front,

Ref: 99/00651/FUL **Decision:** PERFPP **Decision Date:** 19 October 1999

Description: Two storey extension to provide an additional 12 bedrooms and remarking of existing car park to provide an additional 15 spaces,

Ref: 03/00573/FUL **Decision:** PERFPP **Decision Date:** 23 July 2003

Description: Erection of single storey side and rear extension and and new entrance canopy to front

Ref: 03/00854/FUL **Decision:** PERFPP **Decision Date:** 19 September 2003

Description: Erection of single storey extension to side of property

Ref: 04/00499/FUL **Decision:** PERFPP **Decision Date:** 29 July 2004

Description: Proposed internal alterations and single storey front, rear and side extensions, to provide toilets and beer cellar,

Ref: 06/00515/FUL **Decision:** REFFPP **Decision Date:** 6 July 2006

Description: Replacement entrance gate posts, walls and lighting,

Ref: 07/01026/TPO **Decision:** PERTRE **Decision Date:** 9 November 2007

Description: Removal of limb on pine tree T17 covered by TPO6 (Clayton Le Woods) 1982

Ref: 07/01096/TPO **Decision:** REC **Decision Date:**

Description:

Ref: 09/00400/ADV **Decision:** PERADV **Decision Date:** 17 July 2009

Description: Erection of new fascia board to west elevation incorporating new signage.

Ref: 09/00452/FUL **Decision:** PERFPP **Decision Date:** 16 July 2009

Description: Alterations to existing boundary wall to incorporate pillars, railings and gates, decorative stone ball coping stones and illuminated glass ball toppers at entrances (highest point 2.65m). Widening of existing entrance to Preston Road, external alterations to west elevation of hotel including rendering, new windows/french doors incorporating Juliet balconies.

Ref: 13/00901/TPO **Decision:** WDN **Decision Date:** 21 November 2013

Description: To be advised

Ref: 92/00945/FUL **Decision:** PERFPP **Decision Date:** 30 March 1993

Description: Front extension to form offices

Ref: 92/00947/FUL **Decision:** PERFPP **Decision Date:** 30 March 1993

Description: Side and rear extension to existing banqueting suite

Ref: 92/00946/FUL **Decision:** PERFPP **Decision Date:** 30 March 1993

Description: Rear extension to form bistro

Ref: 89/00149/FUL **Decision:** PERFPP **Decision Date:** 23 May 1989

Description: Two storey side extension and use of former squash club and garages as bedrooms and coffee lounge

Ref: 89/00141/ADV **Decision:** PERFPP **Decision Date:** 21 June 1989

Description: Display of illuminated and non illuminated signs

Ref: 89/00277/TPO **Decision:** PERTRE **Decision Date:** 14 April 1989

Description: Removal of Poplar and Lime trees

Ref: 87/00006/FUL **Decision:** PERFPP **Decision Date:** 3 February 1987
Description: New cellar

Ref: 79/01324/FUL **Decision:** PERFPP **Decision Date:** 7 January 1980
Description: Office, laundry black and staffroom extensions

Ref: 74/00178/FUL **Decision:** PERFPP **Decision Date:** 26 June 1974
Description: Covered swimming pool

Suggested Conditions

No.	Condition
1.	<p>The proposed development must be begun not later than three years from the date of this permission.</p> <p><i>Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.</i></p>
2.	<p>Prior to the commencement of development of the retail unit hereby approved, other than demolition and enabling works, samples of all external facing and roofing materials (notwithstanding any details shown on previously submitted plan(s) and specification) shall be submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved.</p> <p><i>Reason: To ensure that the materials used are visually appropriate to the locality.</i></p>
3.	<p>Prior to the commencement of development of the residential building hereby approved, other than demolition and enabling works, samples of all external facing and roofing materials (notwithstanding any details shown on previously submitted plan(s) and specification) shall be submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved.</p> <p><i>Reason: To ensure that the materials used are visually appropriate to the locality.</i></p>
4.	<p>The car parking and vehicle manoeuvring areas that have been marked out in accordance with the approved plan reference LMS/200 received on 28 April 2017 shall be retained in accordance with this plan and shall thereafter not be used for any purpose other than the parking of and manoeuvring of vehicles.</p> <p><i>Reason: To ensure adequate on site provision of car parking and manoeuvring areas and highway safety.</i></p>
5.	<p>No temporary refrigeration units are to be used in the outdoor areas of the retail store service yard other than in exceptional circumstances (such as the failure of internal refrigeration units). In such exceptional circumstances full written permission will be sought from the Local Planning Authority prior to, or within 24 hours of, the temporary refrigeration units being used in the outdoor areas of the service yard.</p> <p><i>Reason: To safeguard the amenities of the occupiers of nearby residential accommodation.</i></p>
6.	<p>Deliveries, servicing and collections to and from the retail unit hereby permitted, including waste collections, shall not take place outside the following hours: 07:00 to 23:00 – Monday to Saturday 08:00 to 18:00 – Sundays Where exceptional circumstances require deliveries/servicing/collections to take place outside these stated hours, full written permission will firstly be sought from</p>

	<p>the Local Planning Authority.</p> <p><i>Reason: Based upon the submitted information and to safeguard the amenities of the occupiers of nearby residential accommodation.</i></p>
7.	<p>The retail unit hereby permitted shall only operate between 07:00 and 22:00 Mondays to Saturdays and between 10:00 and 17:00 on Sundays.</p> <p><i>Reason: In the interests of the amenity of the area and adjoining and nearby residential properties.</i></p>
8.	<p>The external lighting to the convenience retail store and associated car parking area hereby approved shall only be illuminated between the following hours: 07:00 to 23:00 – Monday to Saturday 08:00 to 19:00 – Sundays</p> <p><i>Reason: In the interests of the amenities of local residents.</i></p>
9.	<p>The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plan(s) or as may otherwise be agreed in writing with the Local Planning Authority before any development is first commenced.</p> <p><i>Reason: To protect the appearance of the locality and in the interests of the amenities of local residents.</i></p>
10.	<p>The development hereby approved shall be carried out in accordance with the details contained in the Bat Presence/absence Survey I Innovation Group Environmental Services ref. E-14096 received. This shall specifically include the following measures:</p> <ul style="list-style-type: none"> • The fascia around the existing hotel building (building B1 in the approved report) shall be removed by hand • Any mature trees to be removed should be assessed for bat roosting potential including aerial inspection if appropriate • Provision of bat boxes • Provision of a lighting strategy demonstrating negligible impact on bat foraging habitat <p>The development shall be implemented in accordance with these measures unless otherwise agreed in writing by the local planning authority.</p> <p><i>Reason: Due to the presence of bats that are protected under European and domestic legislation (Conservation of Habitats and Species Regulations (amended) 2012 and Wildlife & Countryside Act 1981), and the need up to date survey data and appropriate mitigation.</i></p>
11.	<p>No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the LPA.</p> <p><i>Reason: To prevent harm to British birds nests and eggs, which are protected by Section 1 of the Wildlife & Countryside Act 1981.</i></p>
12.	<p>The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Foul & Surface Water Drainage Design Drawing NW-2307-SE-03-001, Rev E - Dated 26.04.17 which was prepared by SWF Consulting. For the avoidance of doubt and unless otherwise agreed in writing by the Local Planning Authority, surface water must drain at the restricted rate of 15 l/s and no surface water will be permitted to drain directly or indirectly into the public sewer. The development shall be completed in accordance with the</p>

	<p>approved details or in accordance with an alternative scheme that has received the prior written approval of the Local Planning Authority.</p> <p><i>Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.</i></p>
13.	<p>Prior to the occupation or use of the development hereby permitted 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:</p> <p>a. The arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a Resident's Management Company; and</p> <p>b. Arrangements concerning appropriate funding mechanisms for its ongoing maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as ongoing inspections relating to performance and asset condition assessments, operation costs, regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.</p> <p>The development shall subsequently be completed, maintained and managed in accordance with the approved plan.</p> <p><i>Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development.</i></p>
14.	<p>No part of the retail unit hereby approved shall be occupied before all walls and fences, associated with the retail parcel of the site have been erected in accordance with the approved details. Fences and walls shall thereafter be retained in accordance with the approved details at all times.</p> <p><i>Reason: To ensure a visually satisfactory form of development and to protect the amenities of occupiers of nearby property.</i></p>
15.	<p>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 earlier, 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.</p> <p><i>Reason: In the interest of the appearance of the locality.</i></p>
16.	<p>During the construction period, all trees to be retained shall be protected in accordance with British Standard BS 5837:2012 or any subsequent amendment to the British Standards.</p> <p><i>Reason: To safeguard the trees to be retained.</i></p>
17.	<p>The existing soil levels around the base of the trees to be retained shall not be altered.</p> <p><i>Reason: To safeguard the trees to be retained.</i></p>
18.	<p>The respective parking and associated manoeuvring facilities shown on the plans hereby approved shall be surfaced or paved, drained and marked out and made</p>

	<p>available in accordance with the approved plan prior to the occupation of the dwelling(s) or first use of the retail unit they serve; such parking facilities shall thereafter be permanently retained for that purpose (notwithstanding the Town and Country Planning (General Permitted Development) (England) Order 2015).</p> <p><i>Reason: To ensure provision of adequate off-street parking facilities within the site.</i></p>
19.	<p>No development shall take place including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:</p> <ul style="list-style-type: none"> i. the parking of vehicles of site operatives and visitors ii. hours of operation (including deliveries) during construction iii. loading and unloading of plant and materials iv. storage of plant and materials used in constructing the development v. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate vi. wheel washing facilities vii. measures to control the emission of dust and dirt during construction viii. a scheme for recycling/disposing of waste resulting from demolition and construction works. ix. a management plan to identify potential ground and water contaminants; details for their storage and how water courses will be protected against spillage incidents and pollution during the course of construction; x. the routing of construction vehicles and deliveries to site. <p><i>Reason: in the interests of highway safety and to protect the amenities of the nearby residents.</i></p>
20.	<p>No part of the development hereby approved shall commence, other than demolition and enabling works, until a scheme for the construction of the site access consistent with the proposals illustrated by drawing SCP/16329/SK03 and the off-site works of highway improvement consistent with the proposals illustrated by drawing SCP/16329/SK04 have been submitted to and approved by the Local Planning Authority in consultation with the Highway Authority.</p> <p><i>Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site.</i></p>
21.	<p>No part of the development hereby approved shall commence, other than demolition and enabling works, until a timescale for the construction of the site access and the off-site works of highway improvement has been submitted to and approved by the Local Planning Authority in consultation with the Highway Authority. The highway improvements shall thereafter be constructed in accordance with the agreed timescale.</p> <p><i>Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site.</i></p>
22.	<p>The Framework Travel Plan as approved must be implemented in full in accordance with the timetable within it unless otherwise agreed in writing with the Local Planning Authority. All elements shall continue to be implemented at all times thereafter for as long as any part of the development is occupied or used for a minimum of at least 5 years.</p> <p><i>Reason: To ensure that the development provides sustainable transport options.</i></p>
23.	<p>The development hereby approved shall be carried out in full accordance with the</p>

	<p>recommendations of the Ground Investigation Reports (Project No: 16-707 and Project No: 16-014) received on 02 May 2017, or in accordance with an alternative scheme that has received the prior written approval of the Local Planning Authority.</p> <p><i>Reason: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use.</i></p>
24.	<p>Prior to the commencement of any earthworks on the part of the site that would be developed for residential use and the associated car park hereby approved a method statement detailing measures to minimise the impact on wild mammals shall be submitted to and agreed in writing to the LPA. The agreed method statement shall be adhered to and implemented in full unless otherwise agreed in writing by the LPA.</p> <p><i>Reason: to minimise unnecessary suffering to wild mammals.</i></p>

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

Title	Drawing Reference	Received date
Location plan	LD-07175-SPACE-00-XX-DR-A-91-0004-S3-P11	28 April 2017
Proposed site plan (Retail)	LD-07175-SPACE-00-XX-DR-A-91-0001-S3-P71	12 June 2017
Proposed roof plan	LD-07175-SPACE-00-RF-DR-A-01-0003-S3-P31	28 April 2017
Proposed ground floor plan	LD-07175-SPACE-00-GF-DR-A-01-0001-S3-P31	28 April 2017
Proposed elevations	LD-07175-SPACE-00-XX-DR-A-02-0001-S3-P31	28 April 2017
Boundary treatment plan	LD-07175-SPACE-00-XX-DR-A-91-0003-S3-P21	28 April 2017
Proposed site section A	LD-07175-SPACE-00-XX-DR-A-91-0006-S3-P1	06 July 2017
Proposed site section B	LD-07175-SPACE-00-XX-DR-A-91-0007-S3-P1	06 July 2017
Proposed lighting layout	N/A	02 May 2017
Outline drainage strategy	09-98-500 Rev.B	28 April 2017
Landscape details	R/1981/1	28 April 2017
Landscape drawing	LMS 003	28 April 2017
Tree protection plan	9096/02 Rev.A	28 April 2017
Site context plan	LMS/001	28 April 2017
Masterplan	LMS/200	28 April 2017
Drainage layout	NW-2307-SE-03-001 Rev.E	28 April 2017
Proposed site plan (Residential)	MS/NW2307-01-03-AC-001	28 April 2017
Detailed landscape plan	MS/NW-2307-01-03-AC-002	28 April 2017
Proposed elevations 1	MS/NW2307-01-03-AC-005	28 April 2017
Proposed elevations 2	MS-NW2307-01-03-AC-006	28 April 2017
Proposed lower ground floor plan	MS/NW2307-01-03-AC-007	28 April 2017
Proposed ground floor plan	MS/NW2307-01-03-AC-008	28 April 2017
Proposed first floor plan	MS/NW2307-01-03-AC-009	28 April 2017
Proposed second floor plan	MS/NW2307-01-03-AC-010	28 April 2017
Proposed roof plan	MS/NW2307-01-03-AC-011	28 April 2017
Proposed site sections	MS/NW2307-01-03-AC-012	24 July 2017
Proposed residential lighting plan	MCS-CHORLEY-EXTERNAL V2	13 September 2017

	<i>Reason: For the avoidance of doubt and in the interests of proper planning</i>
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