

## **APPLICATION REPORT – 17/01065/FUL**

**Validation Date: 6 November 2017**

**Ward: Astley And Buckshaw**

**Type of Application: Full Planning**

**Proposal: Alterations to car park to provide an additional 21 spaces and a dedicated pedestrian link.**

**Location: Chorley Borough Council Car Park Hallgate Astley Village**

**Case Officer: Mr Ian Heywood**

**Applicant: Chorley Council**

**Agent:**

**Consultation expiry: 29 November 2017**

**Decision due by: 26 January 2018**

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### **RECOMMENDATION**

1. It is recommended that the application is approved, subject to conditions.

### **SITE DESCRIPTION**

2. The majority of the development site is adjacent to an existing car park and is currently comprised of a grassed area adjacent to the wall to the Astley Hall Walled Garden. The current car park edge abuts the site at this point, where a line of steel railings have been erected. Astley Hall is a grade I listed building and the wall in question falls to also be defined as a listed building under the definition found in the Planning (Listed Buildings and Conservation Areas) Act 1990.
3. The remainder of the application site is within the existing car park layout.
4. The whole site is located within the Chorley settlement area, within Astley Village, but is also with a defined area of existing open space, as defined by the Chorley Local Plan 2012 – 2026.

### **DESCRIPTION OF PROPOSED DEVELOPMENT**

5. The proposal is to extend the existing car park by using part of the grassed area adjacent to the wall to Astley Hall Walled Garden to create 20 additional car parking spaces and to reconfigure a part of the existing car park to provide one further space and to provide a pedestrian link. Thus an additional 21 spaces in total will be created.
6. Drainage will be into the existing system within the car park. Whilst no trees are affected by the proposed development a scheme for additional tree planting is included within the submitted design and access statement.

### **REPRESENTATIONS**

7. None received.

### **CONSULTATIONS**

8. Astley Village Parish Council – no comments have been received.

## PLANNING CONSIDERATIONS

### Principle of development

9. The majority of the development falls within an area of existing open space. As such policy HW2 of the Chorley Local Plan 2012 – 2026 is pertinent. This policy states:

*'Land and buildings currently or last used as, or ancillary to, open space or sports and recreational facilities will be protected unless:*

- A) Alternative facilities of an equivalent or enhanced standard are provided nearby before the existing facilities cease to be available; or*
- B) It can be demonstrated that the loss of the site would not lead to a deficit of provision in the local area in terms of quality and accessibility; and*
- C) The site is not identified as being of high quality and / or high value in the open space study; and*
- D) It can be demonstrated that retention of the site is not required to satisfy a recreational need in the local area; and*
- E) The site does not make a significant contribution to the character of the area in terms of visual amenity.'*

10. Within the open space study, the land in question is identified as formal park / garden of high quality and therefore, the development of the car park fails criterion c) of the policy. In order to satisfy this policy, alternative provision would normally be required under criterion a). The policy requires that this provision is provided nearby before the existing facilities cease to be available. However, the proposal would have a very limited impact on the functionality of the greenspace itself. In addition, it is noted that the area currently suffers from a lack of parking to meet the demand. Although some public open space would be lost as a result of the proposed parking spaces, this needs to be balanced by the public benefit to the community.
11. The increased parking provision would help to alleviate the existing pressure for on street parking, which currently presents safety issues and pedestrian conflict during busy times. This proposal, would, therefore result in a benefit to highway safety.
12. It is noted that Chorley Council is the applicant and that the proposal has been devised in order to address a specific issue in the area in response to the needs of the users of the Park. In addition, the Council has control over the quality and improvement of other remaining public open space in the area. As such, alternative provision of amenity greenspace would not be appropriate in this instance.
13. The loss of open space identified within this proposal is considered acceptable in relation to policy HW2 of the Local Plan as the site is small and the functionality of the site would be sustained.

### Impact on the appearance and setting of a listed building/designated heritage asset

14. Paragraphs 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 are relevant to the '*Special considerations affecting planning functions*'.

Section 66 states:

- (1) In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.*
- (2) Without prejudice to section 72, in the exercise of the powers of appropriation, disposal and development (including redevelopment) conferred by the provision of sections 232, 233 and 235(1) of the principal act, a local authority shall have regard to the desirability of preserving features of special architectural or historic interest, and in particular, listed buildings.*

Section 72 states:

- (1) *In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.*
- (2) *The provisions referred to in subsection(1) are the planning acts and Part 1 of the Historic Buildings and Ancient Monuments Act 1953*
15. Paragraphs 128, 129, 131, 132, 133, 134, 135, 136, 137 and 138 of the National Planning Policy Framework (The Framework) are pertinent as are policy 16 of the Adopted Central Lancashire Core Strategy (2012) and policy BNE8 of the Chorley Local Plan 2012 – 2026.
16. The Central Lancashire Core Strategy (2012), policy 16 refers to Heritage Assets. This policy mirrors that given in the Framework and states that it seeks to, *'Protect and seek opportunities to enhance the historic environment, heritage assets and their setting by:*
- a. *Safeguarding heritage assets from inappropriate development that would cause harm to their significances.'*
17. The Chorley Local Plan 2012 – 2026 policy BNE8 refers to the Protection and Enhancement of Heritage Assets. Essentially this policy mirrors the Framework. Paragraph b, states that, *'Applications will be granted where they sustain, conserve and, where appropriate, enhance the significance, appearance, character and setting of the heritage asset itself and the surrounding historic environment and where they show consideration for the following: iii, The Conservation and, where appropriate, the enhancement of the setting of heritage assets.'*
18. In this case given the scale and nature of the proposed development and the fact that it will form part of an existing parking facility it is considered that it will have no material impact upon the appearance or setting of the adjacent listed wall to Astley Hall Walled Garden and will thus also sustain the significance of this designated heritage asset.
19. As such the proposal is considered to be in conformity with S.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, The Framework, policy 16 of the Core Strategy and policy BNE8 of the Chorley Local Plan 2012 – 2026.

## **CONCLUSION**

20. The proposed development is considered to be in conformity with the Local Plan and is consequently recommended for approval.

**RELEVANT POLICIES:** In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Local Plan 2012-2026 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the proposal has had regard to guidance contained within the National Planning Policy Framework (the Framework) and the development plan. The specific policies/ guidance considerations are contained within the body of the report.

## Suggested Conditions

1. The proposed development must be begun not later than three years from the date of this permission.

*Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.*

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

Title	Plan Ref	Received On
Location Plan	N/A	2 November 2017
Proposed Site Plan	E0490 D02	2 November 2017

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

3. The external facing materials of the development hereby permitted shall be those as specified in the Design and Access Statement as submitted on 2.11.2017 and no others substituted unless alternatives are first submitted to and agreed in writing by the Local Planning Authority, when the development shall then be carried out in accordance with the alternatives approved.

*Reason: In the interests of the visual amenity of the area in general and the existing building in particular.*