

APPLICATION REPORT – 17/01181/CB3

Validation Date: 14 December 2017

Ward: Chorley North West

Type of Application: Chorley Regulation 3

Proposal: Erection of free standing prayer shelter

Location: Chorley Cemetery Southport Road Chorley PR7 1LF

Case Officer: Simon Forster

Applicant: Chorley Borough Council

Consultation expiry: 1 February 2018

Decision due by: 9 March 2018

RECOMMENDATION

1. Permit full planning permission.

SITE DESCRIPTION

2. The application site is the Muslim section of Chorley Cemetery located to the west of the wider cemetery site. It comprises a number of loose gravel footpaths flanked by planted and self-seeded tree and shrub vegetation. A number of recent graves are located in the south eastern part of the application site. The boundaries to the application site comprise stone walls, approximately 2m in height, to the eastern and southern boundaries and a combination of timber pale fencing, steel railings and hedging to the northern and western site boundaries. Access to the application site is via a gated entrance located within the southern site boundary.
3. The whole site is located within the Chorley settlement area, but is also with an area of existing open space, as defined by the Chorley Local Plan 2012 – 2026.

DESCRIPTION OF PROPOSED DEVELOPMENT

4. The proposal is to erect a free standing prayer shelter which would measure approximately 10.4m x 6.4m. It would have cedar cladding along the rear elevation and be open on three sides with a combination of stone piers and wrought iron railing panels and gates. The roof would be pitched with a maximum height of 3.6m and would be constructed with steel roof sheeting supported on steel purlins with timber fascias.

REPRESENTATIONS

5. No representations have been received.

CONSULTATIONS

6. Council's Tree Officer – Has commented that the proposal does not impact on any trees with significant amenity value or any protected trees within this area.

7. Greater Manchester Ecology Unit - Have commented that there are unlikely to be any significant ecological constraints associated with this development but have recommended that an informative is attached to any planning permission.

PLANNING CONSIDERATIONS

8. The majority of the proposed 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.'*
9. Within the open space study, the land in question is identified as cemeteries / churchyard of high quality and high value and therefore, the development 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 proposed development would have a very limited impact on the functionality of the greenspace itself. Although some open space would be lost as a result of the proposed shelter, this needs to be balanced by the public benefit to the community.
 10. It is noted that Chorley Council is the applicant and that the proposal has been devised in order to address a specific need in response to the needs of the users of the Cemetery. 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.
 11. The loss of open space identified within this proposal is considered acceptable in this instance as the site is small and the functionality of the site would be sustained.
 12. Policy BNE1 states that planning permission will be granted for new development including free standing structures provided that a number of criteria are fulfilled.
 13. It is not considered that the proposed free standing prayer shelter would conflict with the provisions of policy BNE1 in terms of its design and use of materials and would not result in any harm to neighbouring properties by virtue of overlooking, overshadowing or by creating overbearing impacts.
 14. The Greater Manchester Ecology Unit and the Council's Tree Officer have confirmed that there would be no harm to the local wildlife or trees as a result of the proposal.

CONCLUSION

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

RELEVANT HISTORY OF THE SITE

There is no recent relevant planning history.

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	11 December 2017
General Arrangement of Shelter (Option 2)	P2723/02/P1	11 December 2017
Architectural Elevations	P2723/03/P1	11 December 2017

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

3. The external facing materials, detailed on the approved plans, shall be used 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: To ensure that the materials used are visually appropriate to the locality.