

## **APPLICATION REPORT – 18/00261/FUL**

**Validation Date: 21 March 2018**

**Ward: Chorley South East**

**Type of Application: Full Planning**

**Proposal: Proposed change of use to car park and use for temporary events, following demolition of existing building**

**Location: Oak House Site High Street Chorley**

**Case Officer: Amy Aspinall**

**Applicant: Mr Chorley Borough Council**

**Agent: Mr Bernard Lam**

**Consultation expiry: 11 April 2018**

**Decision due by: 16 May 2018**

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### **RECOMMENDATION**

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

### **SITE & DESCRIPTION OF PROPOSED DEVELOPMENT**

2. The application site is located at the junction of High Street and Market Street within the Primary Shopping Area of the defined Town Centre.
3. The application seeks full planning permission for a car park which would also be used for temporary events, following demolition of the building.

### **REPRESENTATIONS**

4. 2no. representations have been received citing the following grounds of objection:
  - Objection to demolition of the building
  - The building is listed / architecturally historical
  - Character of the town would be ruined
  - No need for a car park or civic/events space

### **CONSULTATIONS**

5. Waste and Contaminated Land – Have no objection.
6. Lancashire County Council Highways Authority – Have no objection to the revised plan received on 26/03/2018, subject to conditions.
7. The Coal Authority - No comments have been received at the time of report preparation.

## PLANNING CONSIDERATIONS

### Principle of development

8. The application site is located within the Town Centre boundary and partly within the Primary Shopping Area (PSA) and Secondary Frontage, as defined by the Policies Map of the Chorley Local Plan 2012-2026. The existing building, although currently vacant, was comprised of a public house, a Class A2 use and a Class A1 use at ground floor, with offices above.

9. Core Strategy policy 1 (Locating Growth) provides, among other things, that growth and investment will be concentrated in Chorley Town, focussing on the regeneration of the Town Centre.

10. Core Strategy policy 11 (Retail and Town Centre Uses and Business Tourism) seeks to deliver retail and town centre uses in a number of ways, including maintaining and improving the vitality and viability of Chorley Town Centre by building on the success of the Market Walk shopping centre, through investing in further retail development, supporting a range of other retailers and services, as well as improving the centre's appearance and accessibility.

11. Chorley Local Plan policy EP6 seeks to ensure, among other things, that within the Secondary Frontage a combination of retail and town centre uses as defined by the National Planning Policy Framework will be permitted where they maintain and enhance the vitality of this area. This can include some change of use which:

- (a) Promotes the evening and daytime economy
- (b) Provides for independent retailers that contribute to the overall vitality of the Town Centre
- (c) At first floor level, provides offices and residential uses

12. Chorley Local Plan policy HW6 (Community Facilities) provides that development proposing the change of use or loss of any premises or land currently or last used as a community facility (including among other things, public house) will be permitted where it can be demonstrated that:

- (a) The facility no longer serves the local needs of the community in which it is located; and
- (b) Adequate alternative provision has been made, or is already available, in the settlement or local area; and
- (c) The use is no longer financially viable; and
- (d) The facility is in an isolated location remote from public transport routes; or
- (e) There is an amenity or environmental reason why the facility is no longer acceptable.

13. The loss of the public house and the Secondary Frontage of the Primary Shopping Area must be balanced against the benefits of the scheme.

14. The public house is part of the building which is comprised of a wider range of uses, such as offices and Class A2 and A1 retail use. The public house is, therefore, a small element of the building as a whole. Nonetheless it is a community facility, despite being vacant and closed for a number of years. Having regard to policy HW6, the public house no longer serves the community and other public houses and drinking establishments exist in the immediate area. The public house has been closed for a number of years and, therefore, the conclusion could be drawn that it is not viable. The facility is not isolated from public transport routes given its Town centre location.

15. The proposed car park forms part of the Council's commitment to ensure that sufficient car parking is provided in the Town Centre, following the approval of various key redevelopment schemes such as the Market Walk extension. It is also proposed to use the car park for temporary events such as the continental markets and food festivals. The proposal would improve access to the Town Centre for shopping and other services and would support its vitality and wider regeneration. The benefits of the scheme are considered to outweigh the loss of the public house and part of the Secondary Frontage.

## Design

16. At the time of report preparation, objections have been received in relation to the loss of the building. It is acknowledged that it is in a prominent location on the corner of High Street and Market Street and is of some character. It should be noted however, that the building is not statutorily or locally listed, and is not situated within a conservation area. The proposed car park would occupy the whole site and would be surfaced accordingly, with limited scope for landscaping. Nonetheless, it is not considered that the proposal would have a significantly detrimental impact on the character of the surrounding area, having regard to Chorley Local Plan policy BNE1.

## Amenity

17. Given the Town Centre location and the mix of uses, the proposal would not give rise to adverse impacts on the amenity of the occupiers of neighbouring properties having regard to Chorley Local Plan policy BNE1.

## Highway safety

18. Lancashire County Council Highways have no objections to the revised plan submitted on 26/03/2018. The proposal is, therefore, considered to be acceptable in highways safety terms, having regard to Chorley Local Plan policy BNE1 criteria (d).

## **CONCLUSION**

19. The proposal would result in the loss of part of the Secondary Frontage of the Primary Shopping Area and a public house; however this is considered to be outweighed by the benefits of the proposal in improving access to the Town Centre for shopping and other services; and would support its vitality and wider regeneration. The application, therefore, recommended for approval accordingly, subject to conditions and a satisfactory consultation response from the Coal Authority, due to the site being situated in a High Risk Area. An update will be provided on the Addendum.

**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:

| <b>Title</b>       | <b>Plan Ref</b>              | <b>Received On</b> |
|--------------------|------------------------------|--------------------|
| Location Plan      | B10120 AEW SI 00<br>DR A 500 | 14 March 2018      |
| Existing Site Plan | B10120 AEW SI 00<br>DR A 501 | 14 March 2018      |
| Proposed Site Plan | B10120 AEW SI 00<br>DR A 502 | 26 March 2018      |

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

3. Details of any lighting to be installed shall be submitted to and approved in writing by the Local Planning Authority before any such installation is carried out. Details shall include:

- The heights and position of any lighting
- A lighting assessment

The installation shall then be implemented precisely in accordance with these agreed details which shall then not be varied. Furthermore, no additional external lighting shall be installed without the express written permission of the Local Planning Authority.

*Reason: To prevent adverse impacts of light spillage in the interests of the amenities of the area.*

4. The car park shall be surfaced or paved and drained in accordance with a scheme to be approved by the Local Planning Authority and the car parking spaces and manoeuvring areas marked out in accordance with the approved plan, before the use hereby permitted becomes operative.

*Reason: To allow for the effective use of the parking areas in the interests of highways safety.*