

Item 6 **09/00044/OUTMAJ** **Permit (Subject to Legal Agreement)**

Case Officer **Mrs Nicola Hopkins**

Ward **Chorley East**

Proposal **Outline application for the demolition and clearance of existing warehouse and outbuildings and erection of proposed 2 storey primary health care centre (Use Class D1) including ancillary office accommodation**

Location **Friday Street Depot Friday Street Chorley PR6 0AA**

Applicant **Mrs Doreen Hounslea**

3 letters have been received from neighbouring residents
Consultation expiry: 24th February 2009
Application expiry: 24th April 2009

Proposal The application proposes the demolition and clearance of the existing warehouse and the erection of healthcare facilities. The site is 0.6 hectares in size and currently comprises of a warehouse building which is approximately 1860 square metres in size. The application is outline in nature dealing with the principle of redeveloping the site, scale and access. The development will be accessed off Friday Street and will incorporate a two storey health care facility which will be approximately 3,700 square metres internally. Issues relating to layout, design and landscaping will be dealt with at reserved matters stage

It is envisaged that the development will consist of various health care facilities all grouped together within a single site offering a "one stop" health centre.

Summary Planning permission for a health centre has previously been established in principle at the site however the decision was never issued as the Section 106 Agreement was not signed. This, however, is a material planning consideration. The site is a brownfield site and the redevelopment for a medical centre is considered to be an appropriate reuse of the land in a sustainable location.

Planning Policy **National Planning Policy: PPS1, PPG13**

North West Regional Spatial Strategy:

Policy DP1: Spatial Principles

Policy DP2: Promote Sustainable Communities

Policy DP4: Make the best use of Existing Resources and Infrastructure

Policy DP7: Promote Environmental Quality

Policy RDF1: Spatial Priorities

Policy L1: Health, Sport, Recreation, Cultural and Education Service Provision

Policy RT9: Walking and Cycling

Policy EM2: Remediating Contaminated Land

Adopted Chorley Borough Local Plan Review 2003:

GN1- Settlement Policy- Main Settlements

GN5- Building Design and Retaining Existing Landscape Features

and Natural Habitats
EM9- Redevelopment of Existing Employment Sites for Non-Employment Uses
EP12- Environmental Improvements
EP13- Underused, Derelict and Unsightly Land
SP6- District, Neighbourhood and Local Shopping Centres
TR2- Road Hierarchy
TR4- Highway Development Control Criteria
TR7- Rear Servicing
TR11- Bus Services
TR16- Cycle Facilities
TR20- Provision for the Mobility Impaired in Public Buildings
TR21- Provision for the Mobility Impaired in New Developments

Planning History **83/00380**- Construction of highway. Land between Stump Lane and Friday Street. Approved August 1983

84/00775- Use of land and buildings as garages/ stores/ offices. Approved December 1984

06/00133/FULMAJ- Demolition and clearance of existing warehouse and outbuildings and erection of proposed healthcare facilities development. Withdrawn August 2008.

Applicant's Case The following points have been submitted in support of the application:

- The site is the preferred option for the development of a healthcare facility owing to its size, convenient location, proximity to public transport routes and in acceptability in land use planning terms.
- The new development will help deliver improved healthcare facilities to address issues such as the current poor quality of PCT accommodation, the lack of physical capacity to provide current services and the lack of capacity to extend the range of service provision and provide care closer to home.
- This will address the growing problem of patient access in Chorley and South Ribble due to closed lists and increasing housing developments.
- Approximately 3,700 square metres of gross internal space will be provided on site with all the 'clinical accommodation' at ground floor level. The administration areas, offices and support rooms will be sited at the upper floor level. The building will be two storey.

Representations 3 letters of objection have been received raising the following points:

- Concerns about overlooking
 - Impact on natural habitat
 - Create parking problems in the area
 - Loss of light
- Entrance to rear of residential properties will create noise

Consultations **United Utilities** have no objections subject to various conditions/informatives

Corporate Director (Neighbourhoods) has requested a condition relating to contamination.

Lancashire County Council (Highways) initially requested further information and had concerns about the level of parking proposed. However the details requested will be dealt with at reserved matters stage and the Highway Engineer has confirmed that the proposed access arrangements are acceptable at outline stage. Further consultations will be required at reserved matters stage.

Environment Agency has no objections subject to various conditions/ informatives.

Architectural Liaison Officer has commented that Secure by Design Principles should be incorporated.

Lancashire County Council (Archaeology) recommends that a condition should be attached requiring a programme of building recording and analysis

Lancashire County Council (Strategic Planning) consider that the development conforms with the NW Regional Spatial Strategy

Assessment

Principle of the Development

Members may recall that a planning application for a health care facility at the site was submitted in February 2006 (06/00133/FUL). This application was considered at Development Control Committee on 27th March 2006 and the resolution was to approve subject to the Section 106 Agreement. The Section 106 Agreement was never signed, however, and the Council withdrew the application at the end of last year. Taking into account the Committee members resolution the principle of redeveloping the site for health care facilities has been established. This current application is an outline application dealing with the principle of redeveloping the site, access and scale. In the event that outline planning permission is granted a further reserved matters application/ applications will be required in respect of the design, layout and landscaping.

The site falls to be considered as brownfield land which is the preferred option for redevelopment. The site was agricultural land until the late 19th Century when, with the expansion of the textile industry, the Lancashire and Yorkshire Railway company constructed a railway goods warehouse with rail connections to the north of Chorley Station. The original building was completed circa 1895 and comprises of a rectangular goods warehouse. A coal storage yard and a small weighbridge were established on the south western part of the site in the early 19th century. The Chorley- Blackburn line closed in the 1960s and the old rail connections to the site were removed but the coal storage use was dormant up to the 1980s until the land to the west of the original warehouse was purchased for the construction of a new highway, Friday Street. The site is currently leased by Nissan for the storage and repair/ preparation of vehicles and is still owned by Chorley Council.

It is considered that the principle of redeveloping the site for healthcare facilities has been established by the members resolution in 2006, the fact that the site falls to be considered brownfield land and the sustainable location of the site, in close proximity to Chorley Town Centre.

Impact on the neighbours

The site is bordered by two highways, Friday Street and Stump Lane, to the west and north boundaries. To the east and south boundaries there are residential terraced properties located along Stratford Road and Primrose Street. When the site was originally developed the site was first levelled and is bound by brickwork retaining walls along the boundaries with the residential properties.

The retaining wall is approximately 4.8 metres high and incorporates a boundary wall for the residential properties. This wall will be retained and repaired where necessary as part of the proposal. The residential properties on Stratford Road and Primrose Street are predominantly Nineteenth Century terraced properties. The properties along Stratford Road are located at a higher land level than the application site. To the rear of the majority of the properties on Stratford Road there are two storey outriggers which mainly accommodate a bathroom and kitchen. The properties along Primrose Street are also terraced properties however two storey outriggers are not prominent along this block and the levels are similar to that of the application site.

In order to ensure that the proposed building does not adversely impact on the amenities of the neighbours the building will be sited to maintain the required separation distances, however siting will form part of any future reserved matters application. The previous application at the site was a full planning application which included the design, siting and window locations. A building of the size proposed originally maintained the required separation distances and could be accommodated on the site whilst protecting the amenities of the residents. As such it is considered that the site can adequately accommodate the proposed health care facility which is a similar size to the previous proposal.

The facility will be open 8am until 10pm Monday to Friday and 8am until 4pm on Saturdays. These opening hours take account of specific clinic hours and it is unlikely that the premises will be open all the time during these time periods. This notwithstanding, however, it is not considered that the nature of the use will create undue noise and disturbance to the detriment of the neighbours amenities.

Highways and Access

Although the application is outline access is fixed at this stage. It is proposed that the main vehicular entrance to the site will be via Friday Street utilising the existing entrance to the site. This will be utilised by emergency vehicles, patients, staff and small delivery vehicles. In addition to this access there will be a service road accessed via Friday Street behind the building. This junction will be for access only and will be utilised by delivery, collection vehicles and staff. This will incorporate a new access off Friday Street at the southern end of the site. Access via this service road will be controlled by a security gate. This service road will also incorporate staff parking. This arrangement is very similar to the previous application and the Highways Engineer at Lancashire County Council has confirmed that this is sufficient for outline purposes. Full details of the layout and traffic movements can be discussed and agreed as part of the reserved matters application.

Although layout will be dealt with at reserved matters stage the applicants have indicated that 53 car parking spaces will be provided in the main car park including disabled spaces. Motor cycle and cycle parking will also be provided in the main car park. 33 car parking spaces will be provided to the rear of the building for staff.

The Highways Engineer was concerned that the amount of parking proposed would not be sufficient for the size of scheme proposed however the previous application incorporated 56 visitor parking spaces along with cycle and motorcycle parking and 26 staff parking spaces which is similar to the current proposal. The previous figure was below the parking standards set out within the Joint Lancashire Structure Plan. However the scheme was considered to be acceptable as the figure was a maximum not a minimum and it was considered that the proposed level of parking was acceptable considering its location close to the area intended to be served and proximity to town centre car parks.

Since the previous application the Joint Lancashire Structure Plan has been superseded and replaced by the Regional Spatial Strategy (RSS). In accordance with the draft RSS Parking Standards 1 car parking space per 2 staff and 4 spaces per consulting room will be required. 3 disabled bays will be required and 2 cycle parking spaces per consulting room. As this application is outline the numbers of staff and the facilities which will be provided has not been confirmed. Therefore it is not possible to calculate the required parking standards. This notwithstanding however the application site is considered to be a sustainable location in walking distance to the bus station and train station offering alternative travel choices. The requirement of a travel plan to reduce reliance on the car will be attached as a condition and the scheme will contribute to the improvement of public transport in the area. As such the level of parking proposed is considered to be acceptable in this location.

The application site is not located on a bus route however the bus station is within walking distance and a contribution to public transport improvements in the area, secured through a Section 106 Agreement, has been offered. Another suggestion by the applicant is to divert the C8/C9 service along East Way and Friday Street and provide a bus stop close to the application site. Lancashire County Council have confirmed that they have considered that option of routing bus services to serve the new centre. The proposal to route the Eaves Lane services (10/ 11- formerly C8/9) would be quite a lengthy extension as the buses need to reach Brook Street. They have also considered trying to route 123/124 service, which comes from Botany Brow, but Stump Lane is too narrow at the east end (parked cars, etc) to permit use by buses. As such it is not possible to divert existing buses to directly serve the site however a contribution to Kickstart to improve public transport will be secured through a Section 106 Agreement.

Access to the staff parking and delivery access road will be restricted by security gates, details of these gates will be required by condition.

Design

Although this application is outline and the design of the proposal will be dealt with at reserved matters details of the proposed design concept and materials have been incorporated within the applicants submission documents.

The previous application was a full application and incorporated the design of the proposed building. This design was established through extensive discussions with the Councils Urban Designed at the time. These concepts will be incorporated into the design at reserved matters stage.

The design will take into account the contextual relationship between the proposed modern building and the neighbouring 19th Century terraced properties. Traditional building materials will be used externally including brickwork and artificial slate. The main façade of the building will face onto Friday Street.

Contamination

Due to the previous and existing use of the site there is a high potential for contamination at the site. The Council's Environmental Services Section have requested that the standard contamination condition is attached to the recommendation.

Ground investigations have been ongoing at the site and the company employed to do the investigations on behalf of the PCT have confirmed that an interim report will be available on 20th February 2009. The interim report will include a Phase 1 preliminary risk assessment, details of the Phase 2 site investigation and risk assessment and outline remedial proposals as appropriate. The report will be interim pending completion of a full gas monitoring survey to be undertaken over a period of 3 months. The Council's Environmental Services Section are happy to proceed in this way and any outstanding information can be dealt with via condition to be completed prior to the redevelopment of the site.

Flooding

Concerns have been raised about flooding in the area which is stated to have occurred in the last 30 years. The Environment Agency have confirmed that they have no records of any flooding and the site is in Flood Zone 1 on their Flood Map. They suspect that the problem was probably as a result of the surface water sewer being overwhelmed. In terms of the application they cannot see that the proposed use is likely to increase the amount of surface water coming off the site because its mainly hard surface. The Environment Agency have not requested attenuation for that reason but have recommended SUDS, which, if there is an infrastructure problem, should help.

Response to the Neighbours Concerns

The level of parking proposed is very similar to the previous scheme which was approved in principle. The scheme also includes a contribution to public transport improvements in the area which will improve accessibility to and from the centre by public transport. The sustainable location of the site ensures that it is accessible by various modes of transport and as such the level of parking is considered to be acceptable.

This application is outline in nature and the design and appearance of the building will be dealt with at reserved matters stage in the event that outline planning permission is granted. This notwithstanding however the scale of the building is fixed at this stage and the building will be a maximum of two stories high. When the previous scheme was considered part of the building was three stories high. This building could be adequately accommodated on the site whilst ensuring the neighbours amenities were protected. As such it is considered that a two storey building can be adequately accommodated whilst protecting the neighbours amenities.

There are no trees/vegetation on site worthy of retention or protection. It is not considered that the proposal will adversely impact on ecology in the area and landscaping of the site will be required which will improve the ecological value and visual appearance of the site.

The vehicular entrance to the rear of the residential properties will be an entrance way only and will only be utilised by staff and deliveries. The location of any plant/ machinery will be agreed at reserved matters stage however it is not considered that the volume of traffic generated by this entrance will be significant enough to impact on the neighbours amenities.

Contents of the Section 106 Agreement

Lancashire County Council have requested a contribution towards Chorley Kickstart which will help to improve accessibility to and from the Health Centre by public transport. A contribution to Kickstart formed part of the Section 106 Agreement associated with the previous application and required a contribution of £10,000. This application seeks to secure a contribution of £20,000 towards Kickstart taking into account that three years have passed since the previous application was considered.

Conclusion

The principle grant of planning permission by members in 2006 is a material planning consideration in respect of this planning application. The proposal will involve the redevelopment of a brownfield site in a sustainable location and as such is considered to be acceptable.

Recommendation

As the application is on Council owned land the application will be deferred to Full Council for the Decision with a recommendation to Permit Outline Planning Permission (subject to the legal agreement)/ Refuse if the legal agreement is not signed by 24th April 2009

Conditions

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

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The application for approval of reserved matters shall be accompanied by full details of existing and proposed ground levels and proposed building slab levels (all relative to ground levels adjoining the site), notwithstanding any such detail shown on previously submitted plans. The development shall only be carried out in conformity with the approved details.

Reason: To protect the appearance of the locality, in the interests of the amenities of local residents and in accordance with Policy Nos. GN5 of the Adopted Chorley Borough Local Plan Review.

3. No development shall take place until:

- a) A methodology for investigation and assessment of ground contamination has been submitted to and agreed in writing with the Local Planning Authority. The investigation and assessment shall be carried in accordance with current best practice including British Standard 10175:2001 'Investigation of potentially contaminated site - Code of Practice'. The objectives of the investigation shall be, but not limited to, identifying the type(s), nature and extent of contamination present to the site, risks to receptors and potential for migration within and beyond the site boundary;
- b) All testing specified in the approved scheme (submitted under a) and the results of the investigation and risk assessment, together with remediation proposals to render the site capable of development have been submitted to the Local Planning Authority;
- c) The Local Planning Authority has given written approval to the remediation proposals (submitted under b), which shall include an implementation timetable and monitoring proposals. Upon completion of the remediation works a validation report containing any validation sampling results shall be submitted to the Local Authority.

Thereafter, the development shall only be carried out in full accordance with the approved remediation proposals.

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, in accordance with PPS23.

4. No part of the development hereby permitted shall be occupied or used until the two vehicular accesses have been constructed in accordance with plans, which have been submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be carried out in accordance with the approved plans unless otherwise agreed in writing by the Local Planning Authority

Reason: In the interests of highway safety and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review.

5. No development shall take place until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail which may have previously been submitted. The scheme shall indicate all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform.

Reason: In the interests of the amenity of the area and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.

6. 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 sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interest of the appearance of the locality and in accordance with Policy No GN5 of the Adopted Chorley Borough Local Plan Review.

7. The development hereby permitted shall not commence until samples of all external facing materials to the proposed building (notwithstanding any details shown on previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5 of the Adopted Chorley Borough Local Plan Review.

8. The development hereby permitted shall not commence until full details of the colour, form and texture of all hard ground- surfacing materials (notwithstanding any such detail shown on previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in conformity with the approved details.

Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policy Nos. GN5 of the Adopted Chorley Borough Local Plan Review.

9. Before any development hereby permitted is first commenced, full details of the surfacing, drainage and marking out of all car park and vehicle manoeuvring areas shall have been submitted to and approved in writing by the Local Planning Authority. The car park and vehicle manoeuvring areas shall be provided in accordance with the approved details prior to first occupation of the premises as hereby permitted. The car park and vehicle manoeuvring areas shall not thereafter be used for any purpose other than the parking of and manoeuvring of vehicles.

Reason: To ensure adequate on site provision of car parking and manoeuvring areas and in accordance with Policy RT2 of the North West Regional Spatial Strategy 2008.

10. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected to the site boundaries (notwithstanding any such detail shown on previously submitted plan(s)) shall have been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied or land used pursuant to this permission before all walls and fences 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.

Reason: To ensure a visually satisfactory form of development, to protect the amenities of occupiers of nearby property and in accordance with Policy Nos. GN5 and EM2 of the Adopted Chorley Borough Local Plan Review.

11. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all vehicular barriers to be erected to the vehicular access and egress points (notwithstanding any such detail shown on previously submitted plans) shall have been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied or land used pursuant to this permission before all barriers have been erected in accordance with the approved details. The barriers shall thereafter be retained in accordance with the approved details at all times.

Reason: To ensure a visually satisfactory form of development and in accordance with Policy Nos. GN5 and EM2 of the Adopted Chorley Borough Local Plan Review.

12. Before the development hereby permitted is first commenced, full details of the work required to the existing retaining wall (notwithstanding any such detail shown on previously submitted plans) shall have been submitted to and approved in writing by the Local Planning Authority. The details shall include details of required repair and rebuild in respect of this wall and the methodology for undertaking this work. No building shall be occupied or land used pursuant to this permission until the works have been completed in accordance with the approved details. The retaining wall shall thereafter be retained in accordance with the approved details at all times.

Reason: To ensure a visually satisfactory form of development, the protect the neighbours amenities and in accordance with Policy Nos. GN5 of the Adopted Chorley Borough Local Plan Review.

13. Before the development hereby permitted is first occupied, provision for cycle parking provision, in accordance with details to be first agreed in writing with the Local Planning Authority, shall have been made.

Reason : To ensure adequate on site provision for cycle parking and in accordance with Policy No. TR18 of the Adopted Chorley Borough Local Plan Review.

14. No works shall take place on the site until the applicant, or their agents or successors in title, has secured the implementation of a programme of building recording and analysis. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the buildings/site. In accordance with Government advice contained in PPG15: Planning and the Historic Environment

15. If should, during the course of the development, any contaminated material other than that referred to in the investigation and risk assessment report and identified for treatment in the remediation proposals be discovered, then the development should cease until such time as further remediation proposals have been submitted to and approved in writing by the Local Planning Authority.

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, in accordance with PPS23.

16. Surface water must drain separate from the foul and no surface water will be permitted to discharge to the foul sewerage system.

Reason: To secure proper drainage and in accordance with Policy Nos. EP17 of the Adopted Chorley Borough Local Plan Review.

17. The use hereby permitted shall be restricted to the hours between 8am and 10pm on weekdays, between 8am and 8pm on Saturdays and there shall be no operation on Sundays or Bank Holidays.

Reason: To safeguard the amenities of local residents and in accordance with Policy Nos. EM2 and EP20 of the Adopted Chorley Borough Local Plan Review.

18. Prior to the first use of the development hereby permitted, a Green Travel Plan shall be submitted to and approved in writing by, the Local Planning Authority. The measures in the agreed Travel Plan shall then thereafter be complied with unless otherwise agreed in writing by the Local Planning Authority.

Reason: To reduce the number of car borne trips and to encourage the use of public transport and to accord with Policies TR1 and TR4 of the Adopted Chorley Borough Local Plan Review.
