

APPLICATION REPORT – 18/01216/CB3

Validation Date: 21 December 2018

Ward: Chorley North West

Type of Application: Chorley Regulation 3

Proposal: Change of use of the existing pavilion/store to café (Use Class A3) and alterations to external elevations

Location: Coronation Recreation Ground Devonshire Road Chorley

Case Officer: Amy Aspinall

Applicant: Chorley Council

Agent: N/A

Consultation expiry: 8 March 2019

Decision due by: 7 March 2019

RECOMMENDATION

1. It is recommended that planning permission is granted, subject to conditions.

SITE DESCRIPTION & PROPOSED DEVELOPMENT

2. The application relates to Coronation Recreation Ground which is located wholly within the settlement of Chorley, as defined by the Chorley Local Plan 2012 - 2026.

DESCRIPTION OF PROPOSED DEVELOPMENT

3. Planning permission is sought for the change of use of the existing pavilion/store to a café (Use Class A3). The proposal also includes a number of elevational alterations to facilitate the proposed use, which includes an external serving hatch, a roller shutter and insertion of a window.

REPRESENTATIONS

4. Two representations have been received requesting a number of conditions / restrictions to any planning permission. These are summarised below:

- hours of use to be restricted from 8am to 6pm / To be closed from 7.30pm
- no fried or otherwise potentially odorous food to be prepared/sold
- no extract system to penetrate the roofline, side, or rear of the building envelope / nothing above current roof height / no extraction to spoil view of 7 Collison Avenue
- any extract system subsequently fitted to be approved by the Council's environmental health team for particulate and odour control.

CONSULTATIONS

5. CIL Officers: Comment that the proposed development is no CIL liable or chargeable.

6. Environmental Health: Have no objection.

PLANNING CONSIDERATIONS

7. The site is located within the settlement of Chorley where there is a presumption in favour of appropriate sustainable development.

8. Main town centre uses are defined in the National Planning Policy Framework (the Framework) at Annex 2: Glossary, and the proposed uses falls within this definition. The retail hierarchy directs such uses to Chorley Town Centre, recognising that there will be instances where small shops and other town centre uses will be desirable outside the identified centres to meet a local need.

9. The site is an edge of centre location, i.e. it is within 300 metres of the Town Centre boundary.

10. Policy EP9 of the Chorley Local Plan 2012 - 2026 provides that outside the town, district and local centres, change of use and development for small-scale local shopping and town centre uses will be permitted where:

a) The proposal meets a local need and can be accessed in its catchment by walking, cycling and public transport

The proposal relates to an existing established recreation ground, which is also designated as open space. The recreation ground serves the local area and the need for additional facilities has been recognised and forms part of the Council's ongoing improvements and investment into the park. The site is an edge of centre location (as defined in the Framework), is accessible to a range of public transport options; and served by a large residential catchment within walking and cycling distance.

b) Does not harm the amenity of an adjacent area

The proposal is small-scale and is typical of facilities found within recreational parks and grounds, serving an ancillary function to the larger recreational use. Conditional objections have been received which seek to restrict a number of things, including type of food sold and location of extraction equipment. It should be noted that it is not for the local planning authority to control the type of foods sold within a generic A3 use. Nonetheless, it is reasonable to control the detail of any extraction equipment, including its location, and this could be conditioned accordingly.

The application does not propose any hours of opening, however given the location of the proposal and its proximity to neighbouring residential properties, hours of use can be controlled by way of condition.

Subject to conditions, it is not considered that the proposal would be harmful to the amenity afforded to neighbouring residential properties, or the locality.

c) The sequential test and impact assessment are satisfied setting out how proposals do not detract from the function, vitality and viability of the borough's hierarchy of centres.

The proposal does not meet the threshold for an impact assessment.

The application is not accompanied by a sequential test, however the design and access statement purports that the vitality and viability of the borough's hierarchy of local centres would not be harmed by the proposal.

The proposal relates to the provision of a café within an existing building to improve the facilities on offer within the recreational ground; enhance the user experience; and encourage longer visits to the park. The proposal, therefore, serves a specific purpose which cannot be accommodated within the Town Centre, but needs to be on site. Given the scale and nature of

the proposal, it is not considered that the vitality and viability of Chorley Town Centre would be harmed.

11. The recreation ground is existing area of open space, protected under policy HW2 of the Chorley Local Plan 2012 - 2026. In line with this policy, Local Plan policy HW1 allows for a number of things, including ancillary development for an existing open space, sport or recreational facility. The policy states that a proposal will be permitted subject to accordance with the following criteria:

i. It is in connection with and will enhance the recreational and/or amenity value of the open space.

The proposal seeks to enhance the facilities at the recreational ground with a café and, therefore, accords with criterion (i).

ii. It is of a size and scale which does not detract from the character of the open space

The proposed A3 use would be relatively small-scale and would occupy an existing building within the park. It would not detract from the character of the open space.

iii. It will not have a detrimental effect on any site of nature conservation value

There would be no adverse impacts on nature conservation interests as a result of the proposal.

iv. It does not result in the loss of any other sporting facility on the site.

The proposal would result in the loss of a storage area but not a sporting facility.

OTHER MATTERS

12. The sale of alcohol is controlled under separate licensing legislation.

CONCLUSION

13. Although a sequential test has not been carried out as part of the application submission, the proposal would meet a specific local need which cannot be met in the defined Town Centre of Chorley. The site is however, an edge of centre location and is of a small-scale nature which would not undermine the viability and vitality of the town centre. The proposal accords with the provisions of policy HW1 of the Chorley Local Plan 2012 – 2026 and would enhance the facilities at the recreation ground for the benefit of the community. The proposal would not adversely impact upon the residential amenity afforded to neighbouring residential properties or the locality. The application is, therefore, recommended for approval, subject to the suggested conditions.

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: 07/00976/FUL Decision: WDN Decision Date: 16 October 2007
Description: Regulation 3 Application for the formation of lighting scheme to recreation ground, including sports floodlighting for bowling greens and tennis courts,

Ref: 08/00214/CB3 Decision: PERFPP Decision Date: 23 April 2008

Description: Lighting scheme for recreation ground to include footpath, lighting and sports flood lighting

Ref: 18/00205/CB3 Decision: PERFPP Decision Date: 25 April 2018
Description: Installation of two CCTV cameras on 8m poles

Ref: 79/01186/FUL Decision: PERFPP Decision Date: 10 December 1979
Description: Upgrading of public toilets

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		21 December 2018
Plan showing proposed elevations and ground floor layout plan	DAL2018/25 E101	21 December 2018
Plan showing existing elevations and ground floor layout plan	DAL2018/25 E101	21 December 2018

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

3. The external facing materials, detailed in the application, 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.

4. The use hereby permitted shall be restricted to between 08:00 and 18:00 hours on weekdays, between 09:30 and 18:00 hours on Saturdays, Sundays and Bank Holidays.

Reason: To safeguard the amenities of occupiers of neighbouring properties.

5. Prior to its installation, full details (including location, heights, colour and specifications) of any extraction or filtration system shall be submitted to and approved in writing by the Local Planning Authority. Any extraction or filtration system shall only be installed in accordance with the approved details and shall be maintained and retained for use thereafter.

Reason: To safeguard the amenities of occupiers of neighbouring properties.