

Planning Committee

Tuesday, 26th March 2024, 6.30 pm

Council Chamber, Town Hall, Chorley and YouTube

Agenda – Virtual Pack

Apologies

1 **Declarations of Any Interests**

Members are reminded of their responsibility to declare any pecuniary interest in respect of matters contained in this agenda.

If you have a pecuniary interest you must withdraw from the meeting. Normally you should leave the room before the business starts to be discussed. You do, however, have the same right to speak as a member of the public and may remain in the room to enable you to exercise that right and then leave immediately. In either case you must not seek to improperly influence a decision on the matter.

2 **Minutes of meeting Tuesday, 5 March 2024 of Planning Committee** (Pages 3 - 4)

3 **Planning applications to be determined**

The Head of Planning and Enforcement has submitted four planning applications to be determined.

Plans to be considered will be displayed at the meeting or may be viewed in advance by following the links to the current planning applications on our [website](#).

a **23/00113/FUL - The Crown, Station Road, Croston** (Pages 5 - 36)

b **24/01078/P3PAN - Dickinsons Furniture, 137 - 143 Market Street, Chorley** (Pages 37 - 54)

c **23/00984/OUT - Whalleys Farm, Preston Road, Charnock Richard, Chorley** (Pages 55 - 76)

d **24/00115/P3PAN - Yates Barns, 20 St Thomas Road, Chorley** (Pages 77 - 94)

4 **Appeals Report** (Pages 95 - 96)

5 **Any urgent business previously agreed with the Chair**

Chris Sinnott
Chief Executive

Meeting contact Matthew Pawlyszyn on 01257 515034 or email matthew.pawlyszyn@chorley.gov.uk

Electronic agendas sent to Members of the Planning Committee Councillor June Molyneux (Chair), Councillor Alex Hilton (Vice-Chair) and Councillors Sarah Ainsworth, Karen Derbyshire, Gordon France, Danny Gee, Samir Khan, Alistair Morwood, Debra Platt, Chris Snow, Craige Southern, Neville Whitham and Alan Whittaker.

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[To view the procedure for public questions/ speaking click here and scroll to page 119](#)



Minutes of **Planning Committee**

Meeting date **Tuesday, 5 March 2024**

Committee Members present: Councillor June Molyneaux (Chair), Councillor Alex Hilton (Vice-Chair) and Councillors Karen Derbyshire, Gordon France, Danny Gee, Alistair Morwood, Debra Platt, Chris Snow, Craige Southern, Neville Whitham, Alan Whittaker and Roy Lees

Officers: Adele Hayes (Head of Planning and Enforcement), Iain Crossland (Principal Planning Officer), Dave Whelan (Head of Legal and Procurement) and Coral Astbury (Democratic and Member Services Officer)

Apologies: Councillor Sarah Ainsworth

A video recording of the public session of this meeting is available to view on [YouTube here](#)

54 Declarations of Any Interests

There were no declarations of interest.

55 Minutes of meeting Tuesday, 6 February 2024 of Planning Committee

Resolved: That the minutes of the meeting Tuesday, 6 February 2024 of the Planning Committee be approved as a correct record.

56 Planning applications to be determined

The Head of Planning and Enforcement had submitted three planning applications to be determined, however Item 3c – 83 Clayton Gate had now been withdrawn from the agenda.

a 23/00477/FUL Riley Green Marina

Public Speaker: Lesley Yates (Applicant)

After careful consideration, it was proposed by Councillor Craige Southern, seconded by Councillor Karen Derbyshire and subsequently **resolved: (11 for, 0 against and 1 abstention) that planning permission be granted subject to conditions.**

b 23/00921/FUL - The Imperial

Public Speaker: Mr Dickenson (Objector), Councillor Aaron Beaver (Ward Member) and Tom Clarke (Agent)

After careful consideration, it was proposed by Councillor Chris Snow, seconded by Councillor Danny Gee and subsequently **resolved: (11 for, 0 against and 1 abstention) that planning permission be granted subject to conditions.**

c 24/00072/FULHH - 83 Clayton Gate

This item was withdrawn from the agenda.

57 Appeals Report

Resolved: That the appeals report be noted.

Chair

Date

APPLICATION REPORT – 23/00113/FUL**Validation Date: 10 February 2023****Ward: Croston, Mawdesley And Euxton South****Type of Application: Full Planning****Proposal: Demolition of the existing buildings and erection of a convenience store and cafe with parking, landscaping and associated infrastructure****Location: The Crown Station Road Croston Leyland PR26 9RN****Case Officer: Daniel Power****Applicant: Central England Co-operative Ltd****Agent: Mrs Katarzyna McMaster****Consultation expiry: 5 September 2023****Decision due by: 7 April 2023**

RECOMMENDATION

1. It is recommended that outline planning permission is granted, subject to conditions and a S106 legal agreement to secure the following:
 - Off-site biodiversity net gain.

SITE DESCRIPTION

2. The application site is located within the Settlement Area of Croston, as defined by policy V2 of the Chorley Local Plan. The site is on the western side of Station Road and is currently occupied by The Crown public house. The existing building is a two storey brick built building with single storey extension and outbuildings to the rear. To the rear is a parking area and open grassed area. The pub is currently closed and has been for several years now.

DESCRIPTION OF PROPOSED DEVELOPMENT

3. This application seeks planning permission for the demolition of the exiting pub and outbuilding and proposes the erection of a convenience retail store and café, with associated car parking, landscaping and associated infrastructure. The proposed building would be located further within the site, along the northern boundary and would be formed into three elements, with the larger, higher part of the building in the centre and two smaller sections attached to the sides. The area to the south would be parking, with a fenced surface area to the west of the proposed building. The application also proposes landscaped areas to the western, southern and part of the eastern boundary.

REPRESENTATIONS

4. Twelve letters of objection have been received and can be summarised as follows:
 - Light pollution would impact neighbouring amenity
 - Noise pollution would impact neighbouring amenity
 - Would prevent access for maintenance to neighbouring land/property.
 - The proposal would result in an increased in traffic harmful to neighbouring amenity.
 - There is no requirement for the proposed uses.
 - The development would result in the loss of wildlife.
 - Can the parking space be made available for neighbours.
 - The proposed development does not meet retail policies for the area as it is situated outside the Local Centre
 - There are sufficient grocery shops in the area.
 - This would have a detrimental effect on existing shops
 - There would be insufficient parking for the proposal.
 - The development would result in increased traffic which would be harmful to local highway safety.
 - The businesses that will occupy the smaller units will generate more customers travelling by car, which will require more car parking spaces.

CONSULTATIONS

5. United Utilities
No objections subject to conditions
6. Lancashire Highway Services- Comments on the originally submitted application.
In principle LCC Highways support the application, however, there are some elements which require more detail and consideration.
7. There is a concern that as the northerly and southerly turning manoeuvres go onto the opposite carriageway as shown in the swept path analysis provided in the Transport Statement.
8. To ensure these turning movements can be undertaken with the prevalence for on street parking in Croston, waiting restrictions will have to be introduced. The extents of which can be decided with the swept path and position of driveways etc.
9. There is also a concern that for properties on Station Road which do not have off street parking and their usual off street parking areas now with waiting restrictions that on street parking will be a premium, if not non-existent. It is requested that off street parking is provided within the site for the residents who lose their off street parking. Extra car parking provision will have to be made within the site to accommodate these cars.
10. It is noted from the Transport Statement that the maximum number of spaces for a development of this size is 48 and 30 are proposed. With the potential loss of spaces to residents it is requested that additional spaces are provided. With the site's central location to the village and the café additional spaces are requested to ensure that no on street parking occurs on Station Road. This enables the local traffic to use the facility in an efficient and safe manner for the proposed Co-op and café.
11. There is a bus stop outside the site and upgrades to this stop are requested. A quality bus stop is requested and a shelter if it can be accommodated. A bus stop marking is requested alongside the waiting restrictions. The access and off site highway works will be delivered through a s278 agreement.
12. A Traffic Management Plan will be requested to ensure the construction traffic and deliveries are outside of the peak and outside of the school times with the coaches from the high school. From site visits to Croston the school and college buses are high in

number and on Station Road bring the flow of traffic to a halt in places at the peak times. Any additional vehicle movements in these times are to be avoided.

13. The delivery wagons and refuse wagons would also be requested to service the site outside of these times.
14. Lancashire Highway Services – Re consultation
Amended plans and further justification have been provided by the applicant. Following a re-consultation with LCC Highways they have no objections subject to conditions.
15. The proposal for demolition of the existing buildings and erection of a convenience store and cafe with parking, landscaping and associated infrastructure is supported by LCC Highways.
16. Although there are concerns with obstructive parking with the proposed level of car parking from the development onto Station Road, with the introduction of waiting restrictions this can be minimised.
17. There are concerns with the layout of the junction and it is requested that the applicant engages with the s278 officer and the scheme for the new access has technical approval and a Stage 2 Safety Audit before any works are carried on site. This is to ensure that the final details of the highway scheme/works are acceptable before work commences on site and to enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users.
18. The off-site highways works include the installation of the site access, 2m wide footway fronting the site, new bus stop and waiting restrictions. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works.
19. A Construction Traffic Management Plan is requested with the school drop off and collection times being noted and no vehicle movements in regard to deliveries and construction/ contractor vehicles during these times. This is to protect existing road users and to maintain the operation and safety of the local highway network and to minimise the impact of the construction works on the local highway network.
20. Regulatory Services - Environmental Health
I have considered the acoustic report (Doc Reference: 91110/NIA) submitted in support of the of the application. I accept the methodology, summary and recommendations within the report.
21. Noise From Plant:
In section 6.8- It is stated that the noise level predictions demonstrate that cumulative noise emissions from the proposed plant will comply with the proposed limits at the nearest noise sensitive properties inclusive of the mitigation measures specified. I would recommend that it is conditioned that these mitigation measures must be installed i.e. screening from a closed board fence around the plant as well as appropriate mitigation, in the form of an acoustic 'j-kit' enclosure to the VRF air conditioning unit.
22. Noise From Deliveries:
In section 7.18- It is recommended that the store implements a noise management plan to reduce the noise impact of deliveries on the neighbours as much as possible. A typical set of mitigation measures has been suggested. All of which seem reasonable and suitable and I would request that they make the measures site specific and commit to them as a working noise management plan for that site and that the plan is placed as a condition should the application be approved.
23. Waste & Contaminated Land
No comments

24. Growth Lancashire
(Summary) As I am required to do so, I have given the duties imposed by s.72(1) of the P(LBCA) Act 1990 considerable weight in my comments.
25. For the reasons above, I feel the proposal would meet the duty to preserve and would cause no substantive harm to the contribution made by the setting to the character or appearance of Croston Conservation Area. In this regard the proposal meets the requirements of Section 16 of the NPPF and is in accordance with Local Plan Policy BNE8 and Policy 16 of the Central Lancashire Core Strategy.
26. Lancashire County Council Archaeology Service
The Heritage Statement gives an accurate assessment of the building and site. As far as we are aware there is no known archaeological interest on the site and the building is not sufficiently unusual or interesting to merit any further recording work.
27. Lead Local Flood Authority
The Lead Local Flood Authority (LLFA) has no comment to make on the application. For further information please refer to the LLFA Standing Advice for Minor Planning Applications.
28. Environment Agency
No comments have been received.
29. Parish Council
No comments have been received
30. CIL Officers
This development is subject to the CIL Charge for Retail Warehouse, retail parks, and neighbourhood convenience stores as listed in Chorley Councils CIL Charging Schedule
31. Greater Manchester Ecology Unit

Bats

The survey found that the building is being used as a Common Pipistrelle day/transitional roost by singular/small numbers of these species. Details of the mitigation measures that are required have been provided and these are acceptable. We are therefore satisfied that provided the mitigation measures are followed in full the favourable conservation status of bats would be maintained at this site.

As the works will require a licence from Natural England we would recommend that the following condition (BS4020:2013) be attached to any permission, if granted:

The following works demolition of the existing buildings shall not in any circumstances commence unless the local planning authority has been a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations (Amendments) (EU Exit) 2019 authorizing the specified activity/development to go ahead.

Biodiversity Net Gain

A Biodiversity Net Gain Assessment has been submitted, although a copy of the actual metric does not appear to have been included so the calculations cannot be verified. Nevertheless, the assessment demonstrates that the proposals will result in a net loss for biodiversity and are therefore contrary to National Planning Policy Framework. Further information is therefore required as how the proposals will compensate of the loss of biodiversity at the site.

Other issues

The proposals include the remove of trees and hedgerows. As these may be used by nesting birds, we would advise that the following condition be attached to any permission:

No removal of or works to any hedgerows, trees or shrubs or works to or demolition of buildings or structures that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation or structures for active birds' nests immediately before the vegetation is cleared or works commence and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

The Preliminary Ecological Appraisal made recommendations for precautionary measures to protect other species during site clearance. We would therefore advise that these are incorporated in the Construction Environmental Management Plan for the site.

PLANNING CONSIDERATIONS

Principle of development

32. The application site is located within the Settlement Area Croston, as allocated within policy V2 of the Local Plan, where the principle of new development is supported, however, the application proposes a mixed use retail building. The site is located approximately 350 metres from Croston town centre as designated within the Chorley Policies Map. Policy EP9 (Development in Edge-of-Centre and Out-of-Centre Locations) states that *outside the town, district and local centres, change of use and development for small scale local shopping and town centre uses (either as part of mixed use developments or in isolation) will be permitted where:*

- a) The proposal meets a local need and can be accessed in its catchment by walking, cycling and public transport; and*
- b) Does not harm the amenity of an adjacent area; and*
- 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.*

33. The application site is located within close proximity to a number of bus stops and a train station to the north. The application was submitted with a Retail Impact Assessment, which considered the impact of the proposal, being located outside of the town centre, on the viability of the town centre. The impact assessment considered that there are no suitable or available sites in a sequentially preferable location. In addition, the assessment considered the proposed development would not significantly impact on any existing, committed or planned public investment within Croston Local Centre or the defined catchment area. Croston Local Centre is demonstrated to be in a very good state of health and is demonstrated to be vital and viable. It concluded that the nature and scale of the proposal would not give rise to significant adverse impacts on the vitality and viability of Croston Local Centre. It is therefore considered the proposal accords with policy EP9

Loss of Community Facilities

34. The application would result in the loss of a community facility, in this case a pub, therefore policy HW6 (Community Facilities) is relevant and states that *development proposing the change of use or loss of any premises or land currently or last used as a community facility (including community centres, village and church halls, places of worship, public houses, children's centres, libraries, cultural facilities and health facilities) 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.*

35. The Planning Statement submitted in support of the application states that Croston benefits from a provision of pubs, with 28 pubs located within 10min drive from the site and 5 pubs located within 10min walk. Furthermore, the statement advises that The Crown Pub, pre-covid trade was predominantly from the local area offering a limited, basic food offering and good selection of drinks – therefore the trade was a ‘wet-led’ operation which has been difficult to sustain in a limited footfall rural village location such as Croston. Trade suffered during the pandemic, specifically with lockdowns but also a hesitancy for people to return meaning the business closed and could not be re-opened. Marketing information has been provided and it appears that the public house was advertised for a length of time without any interest. Given the number of public houses within the local area, and the length of time The Crown has been closed, the proposal is considered to accord with policy HW6.
36. On the basis of the above assessment the proposed development is considered to be acceptable in principle.

Heritage, design and appearance

37. The site is located on the west side of Station Road, approximately 50 metres from the northern boundary of the Croston conservation area. The Council’s conservation adviser, Growth Lancashire, was therefore consulted.
38. The principal statutory duty under the Planning (Listed Building and Conservation Areas) Act 1990 is to preserve the special character of heritage assets, including their setting. LPA’s should, in coming to decisions, consider the principle Act, which states the following: *Conservation areas – Section 72(1)*
39. In undertaking its role as a planning authority, the Council should in respect to conservation areas pay special attention to the desirability of preserving or enhancing the character or appearance of that area. In relation to conservation areas decision makers should consider the impacts on the character and appearance of a conservation area (which includes its setting) separately and that development proposals need to satisfy both aspects (to preserve or enhance) to be acceptable.
40. The Design and Conservation officer considers the contribution of the site to the significance of the Croston Conservation Area (CA). Whilst they recognise that the existing building/site forms part of a wider mixed C19 and early C20 setting north of the historic core of the village they agree with paragraph 4.19 – 4.21 of the submitted Heritage statement and consider its contribution to the CA is very limited and of no consequence. In addition, in the consideration of the significance of the Non Designated Heritage Asset. The officer comments that the current building is of limited individual merit and they agree with the submitted heritage Statement that it would not warrant recognition or designation as being a building of local interest when assessed against Historic England’s HEAN7 guidance. In this respect, they place very little weight on the need to preserve the building.
41. It is therefore considered that the proposal would meet the duty to preserve and would cause no substantive harm to the contribution made by the setting to the character or appearance of Croston Conservation Area. In this regard the proposal meets the requirements of Section 16 of the NPPF and is in accordance with Local Plan Policy BNE8 and Policy 16 of the Central Lancashire Core Strategy.

Impact on the neighbour amenity

42. *Policy BNE1 (Design Criteria for New Development) of the Chorley Local Plan 2012 -2026 stipulates that new development should not cause harm to any neighbouring property by*

virtue of overlooking, overshadowing, or overbearing; and that the proposal should not cause an unacceptable degree of noise disturbance to surrounding land uses;

43. The existing property is located within a predominantly residential area. The permitted use of a pub, would have an impact to neighbouring properties, with daily coming and going and noise from visitors to the pub. The Council's environmental health officer has considered the proposal and the submitted Noise Impact Assessment and is of the opinion that subject to conditions the proposal would be acceptable. The proposed building is further away from neighbouring dwellings than the existing pub. Given the distance to neighbouring dwellings and the scale of the building, it is not considered that the proposal would have an undue impact through overbearing or overlooking. Given the existing use of the site and subject to the recommended conditions, it is not considered the proposal would have a significant to neighbouring amenity.

Highways

44. Policy BNE1 (Design Criteria for New Development) of the Chorley Local Plan 2012 -2026 stipulates that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that the residual cumulative highways impact of the development is not severe and it would not prejudice highway safety, pedestrian safety, the free flow of traffic, and would not reduce the number of on-site parking spaces to below the standards stated in Site Allocations Policy – Parking Standards, unless there are other material considerations which justify the reduction. The policy is considered to be consistent with the Framework and should be attributed full weight.
45. The existing pub has a vehicular access to the rear of the building, which was used as a car park, with a beer garden. The visibility splays of the existing access would be restricted, due to the location of the access alongside the building. The existing access was narrow, with only allow one car in or out at a time. This application proposes to demolish the existing building and construct a new access at the front of the site along the road, moving the buildings further within the site. The proposed access would be of a width to allow vehicles to enter and exit the site at the same time. The submitted plans propose 28 parking spaces, an additional 2 EV charging stations, two motorcycle parking space and cycles stand to the north east of the building.
46. LCC Highways were consulted on the application and state that in principle they support the application. LCC have advised that a Section 278 agreement would be required for the new access proposed. They have suggested a condition for the applicant secure this agreement prior to the proposed building being first brought into use. This would ensure the access would be constructed in accordance with LCC standard guidance for safe accesses.
47. The Highway authority commented that while they have concerns with obstructive parking with the proposed level of car parking from the development onto Station Road, with the introduction of waiting restriction this can be minimised. Furthermore, given the size of the convenience store within a village, a proportion of visits will be walked or cycled. In addition, the nature of this size of convenience stores, they are not used for large, lengthy shopping and parking stays would not be lengthy.
48. LCC Highways also request a Construction Traffic Management Plan, this is to protect existing road users and to maintain the operation and safety of the local highway network and to minimise the impact of the construction works on the local highway network.
49. Given the existing use of the site, which was served by an established access, the level of parking proposed and subject to the recommended conditions, it is not considered that the proposal would have a significant impact upon local highways safety. The proposal is therefore considered acceptable in this regard.

Ecology and Bio-diversity

50. The Framework states that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan) and minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
51. Policy BNE9 (Biodiversity and Nature Conservation) of the Chorley Local Plan 2012-2026 sets out how development should safeguard biodiversity. Any adverse impacts on biodiversity should be avoided, and if unavoidable should be reduced or appropriately mitigated and/or compensated.
52. Policy BNE11 (Species Protection) of the Chorley Local Plan 2012-2026 states that planning permission will not be granted for development which would have an adverse effect on a priority species, unless the benefits
53. The Council's ecology advisor considered the submitted bat survey and Biodiversity Net Gain Assessment and had no objections subject to condition and Section 106 to secure the offsite biodiversity net gain. In consideration of the above, subject to a S106 and the advice from GMEU, it is not considered that the proposed development would be detrimental to nature conservation or protected species interests.

Community Infrastructure Levy

54. The Chorley CIL Infrastructure Charging Schedule provides a specific amount for development. The CIL Charging Schedule was adopted on 16 July 2013 and charging commenced on 1 September 2013. The proposed development would be a chargeable development and the charge is subject to indexation in accordance with the Council's Charging Schedule.

CONCLUSION

55. The proposed development would not be harmful to the vitality and viability of Croston Local Centre, whilst the loss of the public house as a community facility is justifiable in this instance. The development would not have an unacceptable adverse impact on the character and appearance of the surrounding area or the conservation area, nor would it cause any significant harm to the amenity of neighbouring residents, highway safety or ecology. It is, therefore, considered that the development accords with the National Planning Policy Framework and policies EP9, HW6, BNE1, BNE8, BNE9 and BNE11 of the Chorley Local Plan 2012 – 2026. Consequently, it is recommended that the application is approved subject to conditions.

RELEVANT HISTORY OF THE SITE

Ref: 02/00653/FUL **Decision:** PERFPP **Decision Date:** 16 September 2002
Description: Single storey rear extension

Ref: 96/00392/FUL **Decision:** PERFPP **Decision Date:** 11 October 1996
Description: Refurbishment of public house including side extension to form new stairway and extension to car park,

Ref: 07/00196/FUL **Decision:** REFFPP **Decision Date:** 13 April 2007
Description: External covered area.

Ref: 13/00642/FUL **Decision:** PERFPP **Decision Date:** 13 September 2013
Description: Provision of disabled access and accessible WC to the rear of the building

Ref: 84/00252/FUL **Decision:** PERFPP **Decision Date:** 22 May 1984

Description: Porch and bay extensions and change of use of hairdressing salon to lounge for public house

Ref: 80/00053/FUL **Decision:** PERFPP **Decision Date:** 9 April 1980

Description: Alterations, rear porch, and provision of customers car park

Ref: 76/00354/ADV **Decision:** PERADV **Decision Date:** 25 May 1976

Description: Illuminated sign

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 & Block plan	15883 DB3 B01 00 DR A 90-003 REV P01	8 February 2023
External Plant Enclosure Details	15883 DB3 B01 00 DR A 90-006 REV B	8 February 2023
Proposed Site Plan	15883 DB3 B01 00 DR A 90-002 REV F	8 February 2023
Proposed Floor Plans and Elevations	15883 DB3 B01 00 DR A 20-001 REV B	8 February 2023
Proposed Roof Plan	15883 DB3 B01 00 DR A 27.001 REV A	8 February 2023
Landscaping Plan	STR18027-WSL- ZZ-ZZ-DR-S- (95)001 REV P02	8 February 2023

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.

4. 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 earlier, 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..

Reason: In the interest of the appearance of the locality.

5. The use hereby permitted shall be restricted to the hours between 07:00; and 22:00 on weekdays, Saturdays, Sundays and Bank Holidays.

Reason: To safeguard the amenities of local residents.

6. Prior to the commencement of development a Traffic Management Plan (TMP) shall be submitted to and approved in writing by the Local Planning Authority (in conjunction with the highway authority). The TMP shall include and specify the provisions to be made for the following:-

- The parking of vehicles of site operatives and visitors;
- Loading and unloading of plant and materials used in the construction of the development;
- Storage of such plant and materials;
- Wheel washing facilities;
- Periods when plant and materials trips should not be made to and from the site (mainly peak hours but the developer to identify times when trips of this nature should not be made)
- Routes to be used by vehicles carrying plant and materials to and from the site;
- Measures to ensure that construction and delivery vehicles do not impede access to adjoining properties.

Reason: to protect existing road users and to maintain the operation and safety of the local highway network and to minimise the impact of the construction works on the local highway network.

7. Prior to the first use of the development hereby approved, the acoustic screening shown on approved plan drawing no. 15883 DB3 B01 00 DR A 90-006 REV B shall be installed in accordance with the suggested within the submitted Noise Impact Assessment Acoustic Report (Ref: 91110 Rev 01; dated 16th December 2022). The development thereafter shall be completed in accordance with the approved details.

Reason: In the interests of the amenity of future occupants of the nearby dwellings.

8. Prior to the first use of the development hereby approved, the mitigation measures outlined within section 7 of the submitted Noise Impact Assessment Acoustic Report (Ref: 91110 Rev 01; dated 16th December 2022). The development thereafter shall be completed in accordance with the approved details.

Reason: In the interests of the amenity of future occupants of the nearby dwellings.

9. The private car parking and manoeuvring areas to be marked out in accordance with the approved plans and made available before the use of the premises hereby permitted becomes operative and permanently maintained thereafter.

Reason: To allow for the effective use of the parking areas.

10. Foul and surface water shall be drained on separate systems. Surface water shall be drained in accordance with the hierarchy of drainage options in national planning practice guidance. In the event of surface water discharging to public sewer, the rate of discharge shall be restricted to the lowest possible rate which shall be agreed with the statutory undertaker prior to connection to the public sewer.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

11. No works to trees and shrubs or vegetation clearance or demolition of buildings shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present.

Reason: All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981 (as amended).

12. The following works demolition of the existing buildings shall not in any circumstances commence unless the local planning authority has been a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations (Amendments) (EU Exit) 2019 authorizing the specified activity/development to go ahead.

Reason: To safeguard a protected species.

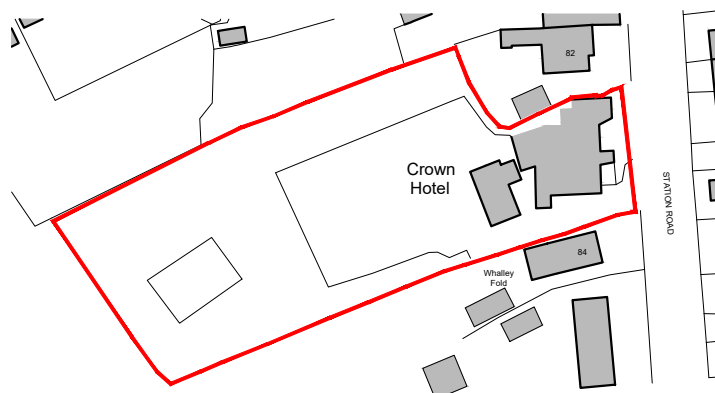
13. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority as part of a section 278 agreement, under the Highways Act 1980.

Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site and to enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users.

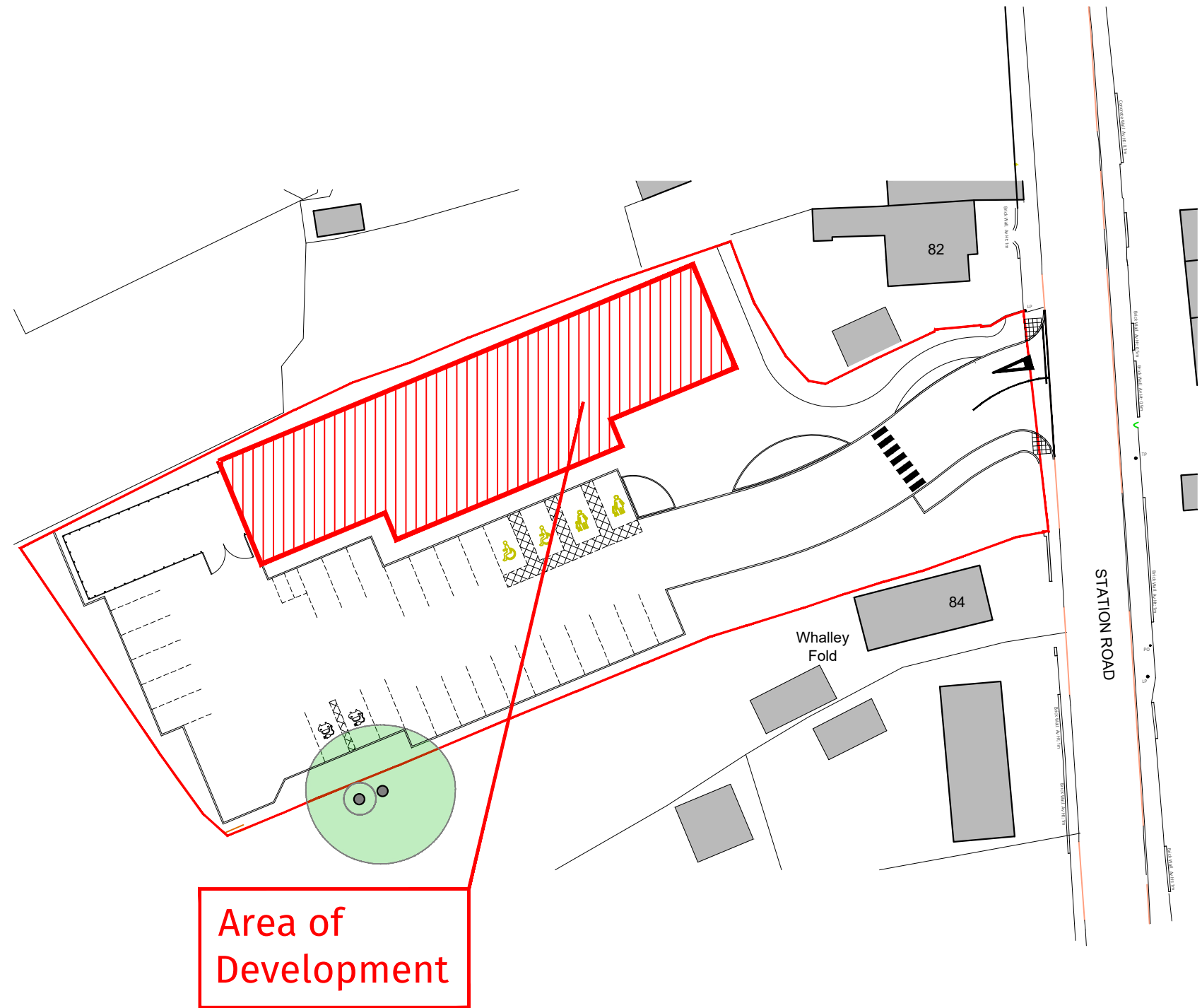
14. No part of the development hereby approved shall be occupied or opened for trading until the approved scheme for the construction of the site access and the off-site works of highway improvement has been constructed and completed in accordance with the approved scheme details, without prior agreement from the Local Planning Authority.

Reason: In order that the traffic generated by the new development does not exacerbate unsatisfactory highway conditions in advance of the first occupancy or trading.

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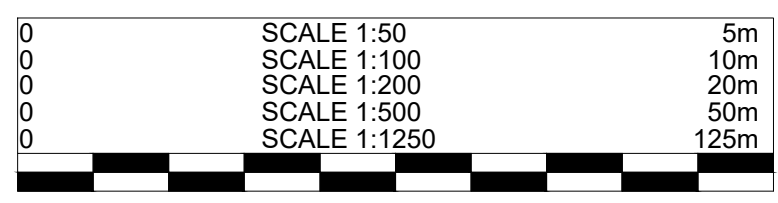


1 LOCATION PLAN
1:1250



Area of Development

2 BLOCK PLAN
1:500



PLANNING

LEEDS

4th Floor, 10 South Parade, Leeds, LS1 5QS.
T: 0113 244 6931 www.darntonb3.com

CLIENT
CENTRAL ENGLAND CO-OPERATIVE

PROJECT
Proposed Redevelopment @ Crown PH-Croston

TITLE
Location & Block plan

CREATION DATE	SCALE @ A3	DRN	CHK	STATUS
21/09/22	1/1250/500	MS	RS	
SHEET NO.	REVISION			
15883 - DB3 - B01 - 00 - DR - A - 90 - 003	P01			
<small>PROJECT NO ORIGINATOR ZONE LEVEL TYPE ROLE NUMBER</small>				

REV	DATE	DESCRIPTION	DR	CH
B	12.12.22	Site plan updated	sn	RS
A	02.11.22	Site plan updated	sn	RS

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DO NOT SCALE FROM THIS DRAWING. USE DISPLAYED DIMENSIONS.

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Planning Committee Meeting

26th March 2024



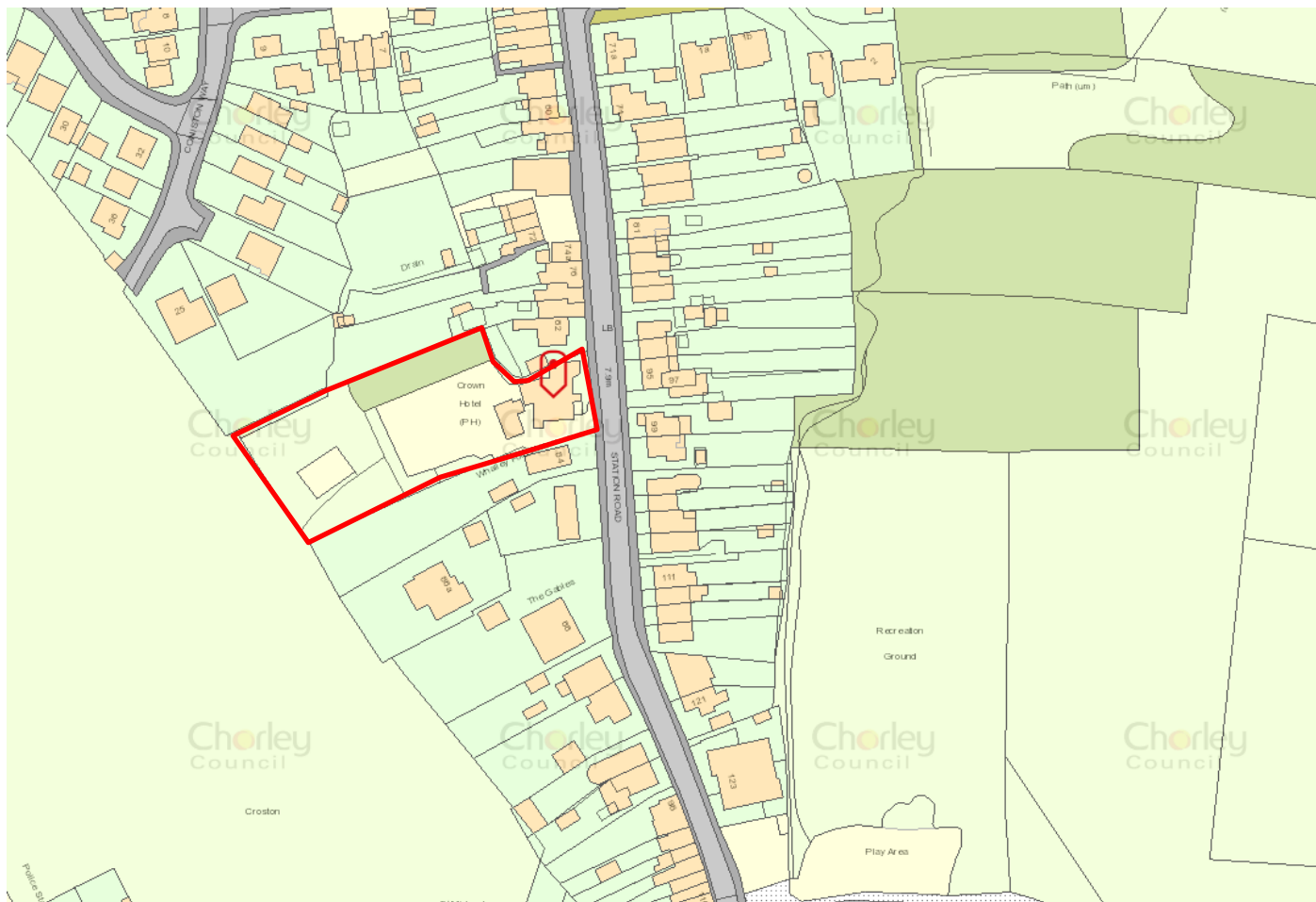
Item 3a

23/00113/FUL

The Crown Station Road Croston Leyland
PR26 9RN

Demolition of the existing buildings and erection of a convenience store and cafe with parking, landscaping and associated infrastructure

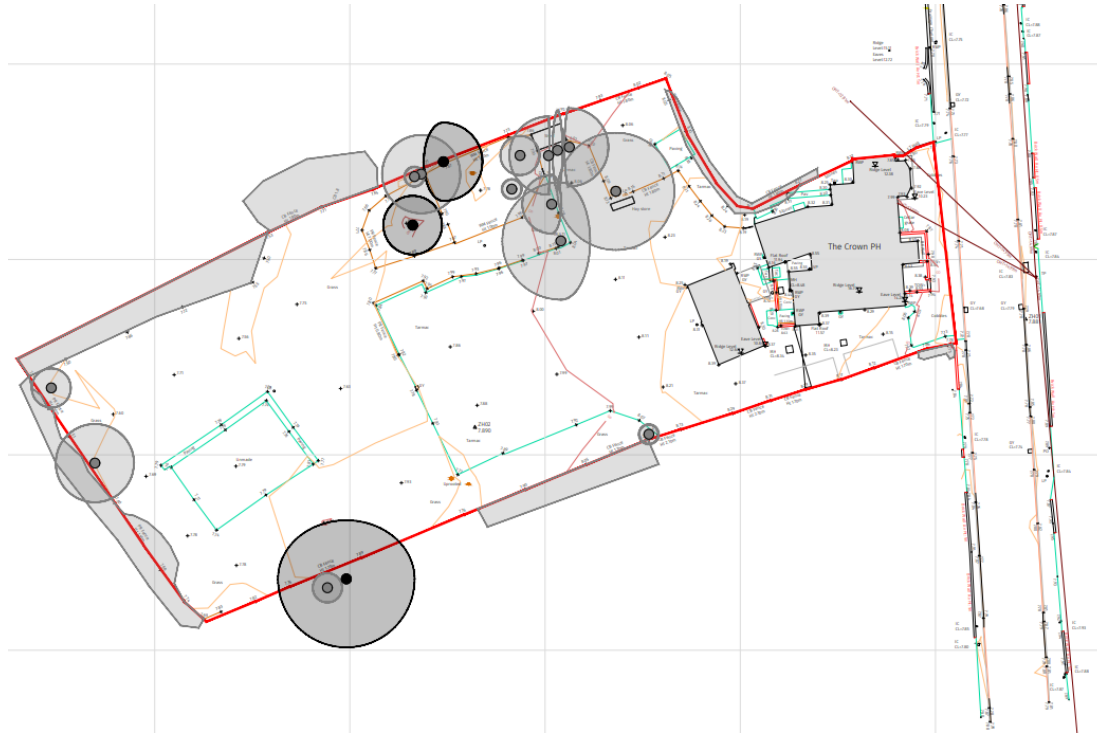
Location Plan



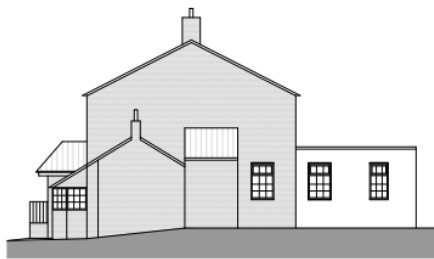
Aerial photo



Existing block and elevations



4 East Elevation
1:100



5 North Elevation
1:100



6 West Elevation
1:100

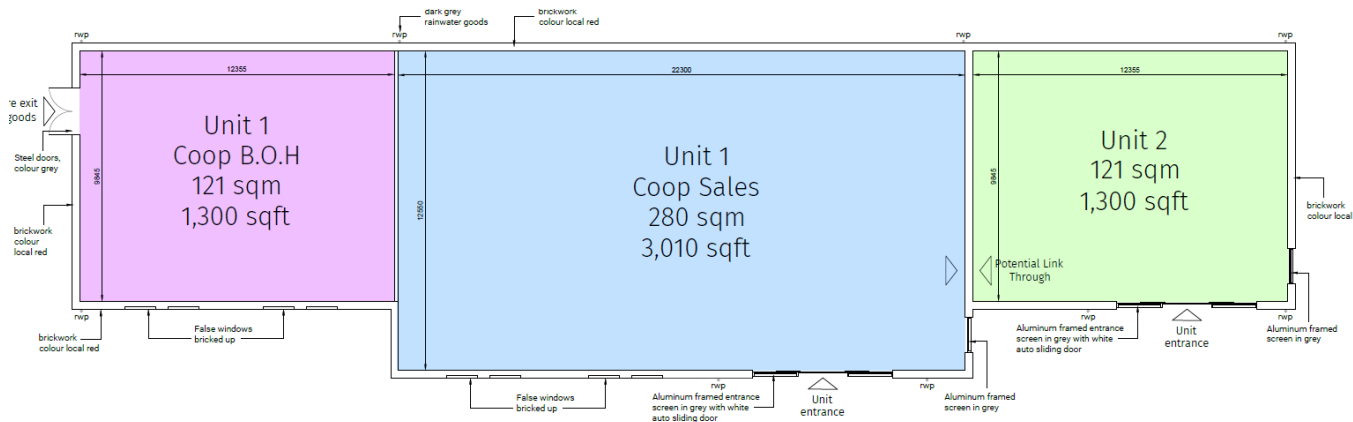
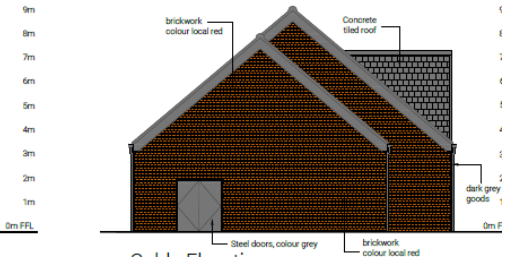
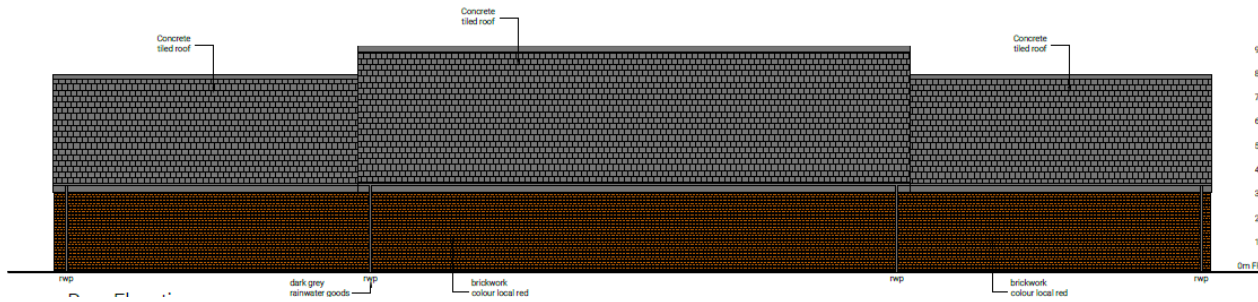
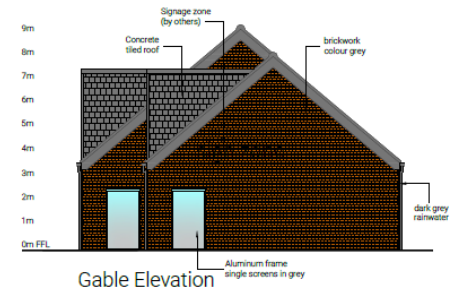
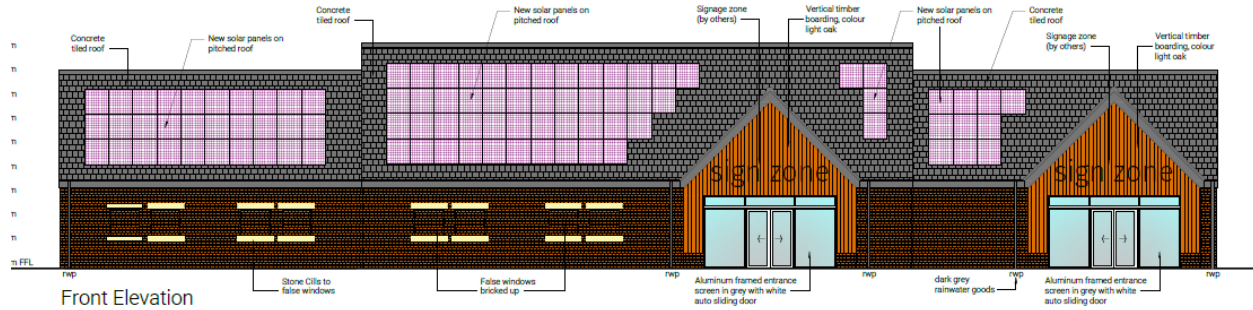


7 South Elevation
1:100

Proposed Layout Plan



Proposed Plans



Site Photos – Front of pub



Site Photos – Existing access



Site Photos – Side of pub



Site Photos – Rear of pub



Site Photos – Existing parking area



Site Photos



Site Photos – Rear of pub



Site Photos – Existing access



Site Photos



Site Photos



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APPLICATION REPORT – 24/01078/P3PAN

Validation Date: 9 February 2024

Ward: Chorley North West

Type of Application: Prior Approval from Retail to Dwelling

Proposal: Prior approval application under Schedule 2, Part 3, Class M(a) of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the proposed change of use from retail (Use Class E) to 9 no. apartments on the first and second floors.

Location: Dickinsons Furniture 137 - 143 Market Street Chorley PR7 2ST

Case Officer: Mr Iain Crossland

Applicant: Mr Trevor & Herbert Witts

Agent: Mr Peter E Gilkes

Consultation expiry: 4 March 2024

Decision due by: 4 April 2024

RECOMMENDATION

1. Prior approval is required, and it is recommended that it should be granted.

SITE DESCRIPTION

2. The application site comprises a long established retail shop that is located at the southern end of Market Street and is in Chorley town centre within a secondary shopping frontage. The site comprises a three storey building of traditional form that is at the end of a block of development. The surrounding area is of mixed character and comprises a range of different uses with good pedestrian access to a wide variety of amenities.

DESCRIPTION OF PROPOSED DEVELOPMENT

3. This application seeks prior approval under Schedule 2, Part 3, Class M(a) of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the proposed change of use from retail (Use Class E) to 9 no. apartments on the first and second floors.

REPRESENTATIONS

4. One representation in objection has been received raising concerns about the absence of any parking provision, lack of on street parking opportunities and potential impact that this may have on the business functions of the Chorley Masonic Hall.

CONSULTATIONS

5. **Regulatory Services - Environmental Health:** No comments have been received.

6. **Waste & Contaminated Land:** has no concerns over ground contamination in relation to this site. The site is unlikely to be determined as Contaminated Land.
7. **Lancashire Highway Services:** does not have any objections regarding the proposed prior approval application under Schedule 2, Part 3, Class M(a) of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the proposed change of use from retail (Use Class E) to 9 no. apartments on the first and second floors, and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.
8. The site is within a sustainable location and no off street car parking is requested. The proposed dwellings would not be eligible for on street residents parking permits.

PLANNING CONSIDERATIONS

Procedural matters -

9. Part 3, Class M(a) of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), permits development consisting of a change of use of a building and any land within its curtilage from a use falling within Class E (commercial, business and service) of Schedule 2 to the Use Classes Order to a use falling within Class C3 (dwellinghouses) of Schedule 1 to that Order.

Assessment -

10. Development is not permitted by Class M(a) (assessment in bold):
11. (a) unless the building has been vacant for a continuous period of at least 3 months immediately prior to the date of the application for prior approval;

The application form submitted with the application states that the building has been vacant for at least 3 months prior to the date of the application (09 February 2024) and there is no evidence to indicate that there have been any intervening uses during this timeframe. On this basis it is considered that the building has been vacant for more than 3 months prior to the date of the submission of the prior approval application.

12. (b) unless the use of the building fell within one or more of the classes specified in subparagraph (2) for a continuous period of at least 2 years prior to the date of the application for prior approval;

The application form submitted with the application states that the building has been used for one or more of the classes specified in subparagraph (2) for a continuous period of at least 2 years prior to the date of the application, whilst the Council's records demonstrate that the long established use of the building is as a retail shop. There is no evidence to indicate that there has been any material change of use of the building within the previous 2 years and, therefore, it is considered that the established lawful use of the building would have fallen within Use Class A1 of the Town and Country Planning (Use Classes) Order 1987 prior to the introduction of the updated Use Classes in September 2021, and within Class E since this time.

Use Class A1 and E are specified at subparagraph 2 of this part of the GPDO and the development, therefore, accords with the above criterion (b).

13. (c) if the cumulative floor space of the existing building changing use under Class MA exceeds 1,500 square metres;

The cumulative floorspace of the existing building is less than 1,500 square metres.

14. (d) if land covered by, or within the curtilage of, the building—
 - (i) is or forms part of a site of special scientific interest;

- (ii) is or forms part of a listed building or land within its curtilage;
- (iii) is or forms part of a scheduled monument or land within its curtilage;
- (iv) is or forms part of a safety hazard area; or
- (v) is or forms part of a military explosives storage area;

There is no conflict with the above criterion (d) (i to v).

15. (e) if the building is within—
- (i) an area of outstanding natural beauty;
 - (ii) an area specified by the Secretary of State for the purposes of section 41(3) of the Wildlife and Countryside Act 1981;
 - (iii) the Broads;
 - (iv) a National Park; or
 - (v) a World Heritage Site;

There is no conflict with the above criterion (e) (i to v).

16. (f) if the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained; or

The site is not occupied under an agricultural tenancy.

17. (g) before 1 August 2022, if—
- (i) the proposed development is of a description falling within Class O of this Part as that Class had effect immediately before 1st August 2021; and
 - (ii) the development would not have been permitted under Class O immediately before 1st August 2021 by virtue of the operation of a direction under article 4(1) of this Order which has not since been cancelled in accordance with the provisions of Schedule 3.

A direction under article 4(1) of this Order does not apply to the site.

Prior approval -

18. Development under Class MA is permitted subject to the condition that before beginning development under Class MA, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to:
- (a) transport impacts of the development, particularly to ensure safe site access;
 - (b) contamination risks in relation to the building;
 - (c) flooding risks in relation to the building;
 - (d) impacts of noise from commercial premises on the intended occupiers of the development;
 - (e) where — (i) the building is located in a conservation area, and (ii) the development involves a change of use of the whole or part of the ground floor, the impact of that change of use on the character or sustainability of the conservation area;
 - (f) the provision of adequate natural light in all habitable rooms of the dwellinghouses;
 - (g) the impact on intended occupiers of the development of the introduction of residential use in an area the authority considers to be important for general or heavy industry, waste management, storage and distribution, or a mix of such uses; and
 - (h) where the development involves the loss of services provided by—
 - (i) a registered nursery, or
 - (ii) a health centre maintained under section 2 or 3 of the National Health Service Act 2006, the impact on the local provision of the type of services lost; and
 - (i) where the development meets the fire risk condition, the fire safety impacts on the intended occupants of the building.

a) Transport and highways impact of the development

19. The proposed development would result in the provision of 9 no. dwellings. There would be no off street parking or dedicated parking spaces for occupiers of the dwellings. The site is, however, located in a highly sustainable location with excellent pedestrian access to shops, food stores, a wide range of amenities and public transport options. It must also be considered that the existing use generates a parking requirement that is not currently fulfilled by dedicated parking provision.
20. LCC Highways have recognised that the location is sustainable and have confirmed that they do not have any objections regarding the proposed change of use from retail (Use Class E) to 9 no. apartments on the first and second floors, and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site. On the basis of this advice and the sustainability of the location it is considered that there would be no unacceptable transport impacts as a result of the development.

b) Contamination risks on the site

21. The Council's Waste and Contaminated Land Officer has stated that based on the available information the Council currently have no concerns over ground contamination in relation to this site and the site is unlikely to be determined as contaminated land.

c) Flooding risks

22. Paragraph W.6 of Part 3 of the GPDO states:

Where an application relates to prior approval as to the flooding risks on the site, on receipt of the application, the local planning authority must consult the Environment Agency where the development is—

- (a) In an area within Flood Zone 2 or Flood Zone 3; or*
- (b) In an area within Flood Zone 1 which has critical drainage problems, and which has been notified to the local planning authority by the Environment Agency for the purpose of paragraph (zc)(ii) in the Table in Schedule 4 to the Procedure Order.*

23. In this case the application site does not lie within flood zone 2 or 3, or within an area that has critical drainage problems.

d) Impacts of noise from commercial premises

24. There are several commercial premises located within the immediate locality, most notably including a public house, immediately adjacent and attached to the north side of the building, and an events venue and bar within the Masonic Hall to the rear of the site on the opposite side of George Street. These uses are not restricted by planning conditions and have the potential for noise generation. It is, however, noted that the site is within a town centre location where a mix of such uses is anticipated and encouraged, whilst the presence of these amenities would be a known factor to potential residents. It is therefore considered that there would be no unacceptably adverse impacts on the occupiers of the proposed apartments in the context of this town centre location.

e) Impacts on character or sustainability of the Conservation Area

25. The application site is not located within a Conservation Area.

f) Provision of adequate natural light in all habitable rooms

26. Floor plans have been submitted demonstrating that natural light can be achieved to all habitable rooms subject to the provision of new window openings and internal alterations noted on the proposed floor plans. It is therefore considered that adequate natural light would be provided across the development.

g) Impact on intended occupiers of the development of residential use in an area the authority considers to be important for general or heavy industry, waste management, storage and distribution, or a mix of such uses

27. The application site is not located in an area that the authority considers to be important for general or heavy industry, waste management, storage and distribution, or a mix of such uses

h) where the development involves the loss of services provided by—

(i) a registered nursery, or

(ii) a health centre maintained under section 2 or 3 of the National Health Service Act 2006, the impact on the local provision of the type of services lost;

28. The development would not involve the loss of services provided by a registered nursery, or a health centre maintained under section 2 or 3 of the National Health Service Act 2006.

i) Where the development meets the fire risk condition, the fire safety impacts on the intended occupants of the building

29. Paragraph MA.3 states that development meets the fire risk condition if it relates to a building which would contain two or more dwellinghouses and satisfy the height condition in paragraph (3), read with paragraph (7), of article 9A (fire statements) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

30. The proposed development relates to a building that would contain 9no. dwellinghouses, however, the building is less than 18 metres in height and contains less than 7 storeys and, therefore, the fire risk condition is not applicable in this instance.

CONCLUSION

31. It is considered that the proposed change of use meets the criteria of the legislation. It is recommended, therefore, that prior approval is required and that it is granted subject to required conditions.

RELEVANT HISTORY OF THE SITE

Ref: 82/00317/FUL **Decision:** PERFPP **Decision Date:** 13 July 1982

Description: Alterations to front elevation and rear extension and alterations to furniture shop

Ref: 80/00401/FUL **Decision:** PERFPP **Decision Date:** 10 September 1980

Description: Rebuilding furniture shop

RELEVANT POLICIES: Schedule 2, Part 3, Class M(a) of The Town and Country (General Permitted Development) (England) Order 2015 (as amended)

Suggested Conditions

1. The development must be completed within a period of 3 years starting with the date of this letter.

Reason: As required by Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

2. The building permitted to be used as dwellinghouses shall remain in use as dwellinghouses within the meaning of Class C3 of Schedule 1 to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the use as a dwellinghouse.

Reason: As required by Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

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

Location Plan received by the Local Planning Authority on 09 February 2024

Floor Plans received by the Local Planning Authority on 18 March 2024

Reason: For the avoidance of doubt and in accordance with Schedule 2, Part 3, Paragraph W(2)(bc) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

137-143 Market Street Chorley PR7 2ST



Promap

LANDMARK INFORMATION

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Planning Committee Meeting

26 March 2024



Item 3b

24/01078/P3PAN

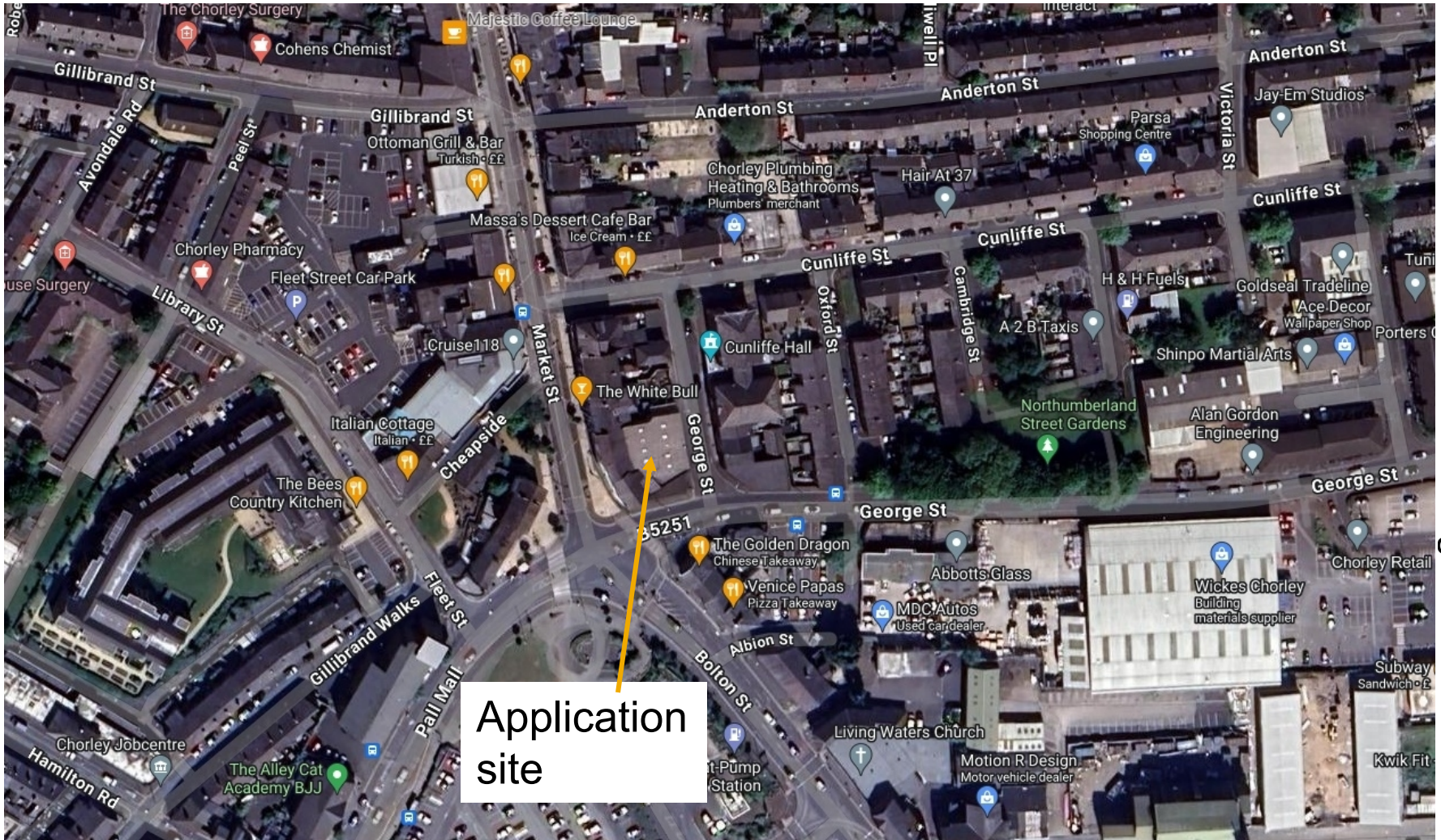
Dickinsons Furniture, 137 - 143 Market Street,
Chorley. PR7 2ST

Prior approval application under Schedule 2, Part 3, Class M(a) of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the proposed change of use from retail (Use Class E) to 9 no. apartments on the first and second floors

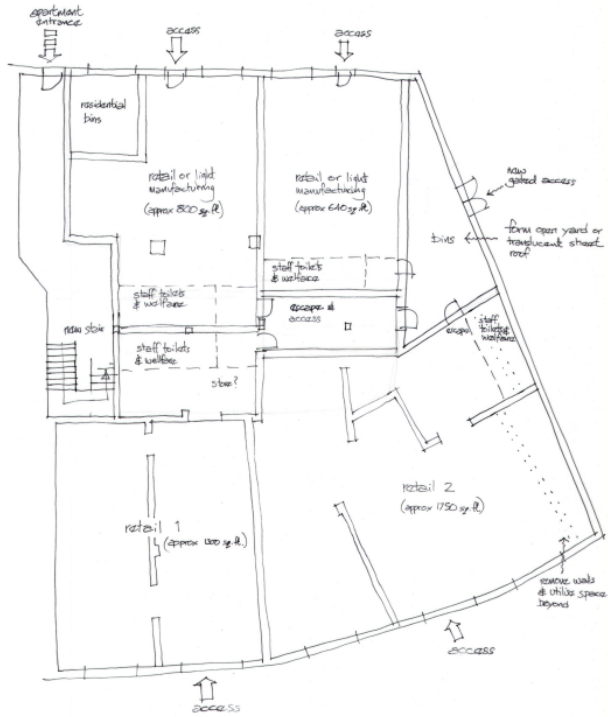
Location plan



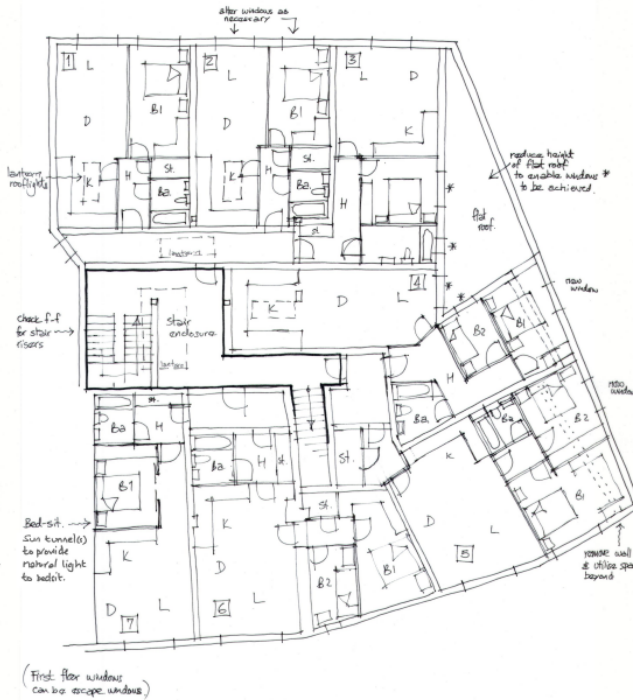
Aerial photo



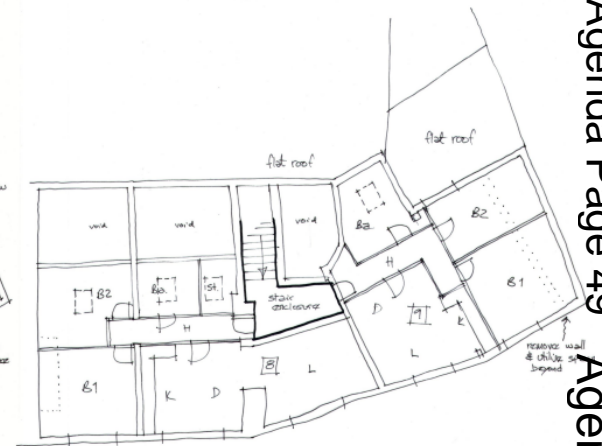
Proposed floor plans



GROUND FLOOR



FIRST FLOOR



SECOND FLOOR

Application property



Application property



Looking south along Market St



South side of application site



Rear of application site



APPLICATION REPORT – 23/00984/OUT

Validation Date: 15 November 2023

Ward: Eccleston, Heskin And Charnock Richard

Type of Application: Outline Planning

Proposal: Outline planning application to redevelop the haulage yard and workshop and erect three bungalows with access (all other matters reserved)

Location: Whalleys Farm Preston Road Charnock Richard Chorley PR7 5HR

Case Officer: Daniel Power

Applicant: Barton Holdings Ltd

Agent: Mr Graham Love

Consultation expiry: 11 December 2023

Decision due by: 29 March 2024

RECOMMENDATION

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

SITE DESCRIPTION

2. The application site is located to the north west of Coppull, the south western side of Preston Road (A49). The site comprises a bungalow and haulage yard with a single access from Preston Road. The existing bungalow and its garden area occupies the northwest part of the site and the remainder forms the haulage yard. There is a storage building to the southwest of the site, with the majority of the remainder of the site laid to hardstanding.

DESCRIPTION OF PROPOSED DEVELOPMENT

3. This application seeks outline planning application for the demolition of an existing storage building and the redevelopment of the haulage yard and workshop with the erection of three bungalows with access (all other matters reserved).

RELEVANT HISTORY OF THE SITE

Ref: 22/00720/CLEUD **Decision:** PEREUD **Decision Date:** 22 August 2022

Description: Application for lawful development certificate for an existing use as a haulage yard and ancillary workshop

Ref: 23/00984/OUT **Decision:** PDE **Decision Date:**

Description: Outline planning application to redevelop the haulage yard and workshop and erect three bungalows with access (all other matters reserved)

Ref: 93/00604/OUT **Decision:** REFOPP **Decision Date:** 9 November 1993

Description: Outline Application for the erection of 1 detached dwelling

Ref: 90/00385/FUL **Decision:** PERFPP **Decision Date:** 10 March 1992

Description: Erection of workshop and use of land in connection with haulage business

Ref: 88/00041/OUT **Decision:** PEROPP **Decision Date:** 8 November 1988

Description: Outline application for erection of garage

Ref: 78/00354/FUL **Decision:** REFFPP **Decision Date:** 2 January 1979

Description: Taxi business (repair and parking vehicles)

Ref: 76/00126/OUT **Decision:** REFOPP **Decision Date:** 25 May 1976

Description: Outline application for Bungalow

REPRESENTATIONS

4. No comments have been received

CONSULTATIONS

5. Charnock Richard Parish Council: has no objections in principle to these proposals, however, concern has been expressed about the sightlines out of the site and vehicles approaching from the bend on the left.
6. CIL Officers: CIL Liability is not calculated at outline application stage. However, this development will be CIL Liable on approval of the final reserved matters application (if approved). At present, if the final reserved matters application is approved, based upon this outline application information, this development will be subject to the CIL Charge for Dwellings as listed in Chorley Councils CIL Charging Schedule.
7. Waste & Contaminated Land: No comments have been received
8. Lancashire Highway Services: LCC Highways does not have any objections regarding the proposed outline planning application to redevelop the haulage yard and workshop and erect four bungalows with access (all other matters reserved) and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.
9. LCC Highways are of the opinion that the proposal will be no worse than the existing use of the site and will not cause an unacceptable impact on highway safety or cause severe impacts on the road network.
10. The vehicular access onto Preston Road within the adopted highway would need to be altered to provide footway, dropped kerbs and tactile paving. LCC Highways would request that applicant enters into a S278 to agreement for the alteration of the site access.
11. The grant of planning permission will require the applicant to enter into an appropriate legal agreement (Section 278), with Lancashire County Council as Highway Authority prior to the start of any development. The applicant should be advised to contact the county council for further information by telephoning the Development Support Section on 0300 123 6780 or email developeras@lancashire.gov.uk, in the first instance to ascertain the details of such an agreement and the information to be provided, quoting the location, district and relevant planning application reference number.

12. Greater Manchester Ecology Unit: Summary, no objections subject to conditions

Bats

A valid assessment of bat roosting opportunities has been provided. Buildings and trees on the site were subject to a day time assessment, with no evidence found and both buildings and all trees assessed as having negligible bat roosting potential. I have no reason to doubt the findings of the report. As individual bats can on occasion turn up in unexpected locations, I recommend an informative informing the applicant of this.

Great crested newts (gcn)

A valid assessment of the risk to great crested newts has been provided. I agree with the consultant that the combination of distance, barriers and general unsuitability of the site for amphibians combine to make the risk of gcn being present as negligible. *No further information or measures are required.*

Other Protected Species

I agree with the consultant that all other protected species can be reasonably discounted owing to a lack of suitable habitat on or near the site, combined with adequate survey. *No further information or measures are required.*

Nesting Birds

Trees and shrubs are present on the site. At least one tree appears to be proposed for removal, potential bird nesting habitat and as this is an outline permission, further tree removal may be proposed at reserved matters if outline permission was granted. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. I recommend a condition along the following lines be applied to any permission.

Other Wildlife

I agree with the consultant that the site is very low risk for other wildlife such as hedgehog and other amphibians. *No further information or measures are required.*

Contributing to and Enhancing the Natural Environment & Biodiversity Net Gain

Section 174 of the NPPF 2021 states that the planning policies and decisions should contribute to and enhance the natural and local environment. The site is primarily bare ground, with the majority of the higher value ecological features, the trees retained. This would be replaced with buildings and vegetated gardens. Wildlife issues appear restricted to nesting birds.

The indicative soft landscaping layout indicates good use of additional tree and hedge planting and includes provision of bird and bat boxes. A biodiversity net gain assessment has been provided that demonstrates the indicative layout would easily achieve 10% biodiversity net gain on both area based and linear habitats. Whilst the excel spreadsheet has not been provided, given the simple nature of the site, I am satisfied that the information supplied is adequate and that 10% BNG can be achieved. I am also satisfied that the bird and bat provision is would mitigate and enhance the site.

PLANNING CONSIDERATIONS

13. The application site is located within the Green Belt and falls within the definition of previously developed land provided within the Framework. Section 13 of the Framework confirms that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
14. Development will only be permitted within the Green Belt, in accordance with the Framework, if it is considered appropriate development or where very special circumstances can be demonstrated. The Framework confirms that 'very special

circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

15. Paragraph 154 of the Framework states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt but lists a number of exceptions. One exception listed at paragraph 154 of the Framework of development that need not be considered inappropriate development in the Green Belt is the limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing development.
16. Local Plan Policy BNE5 states that for the redevelopment of Previously Developed Sites in the Green Belt the reuse or redevelopment of previously developed sites in the Green Belt, will be permitted providing the following criteria are met:
 - a) The proposal does not have a materially greater impact than the existing use on the openness of the Green Belt and the purposes of including land in it;
 - b) The development respects the character of the landscape and has regard to the need to integrate the development with its surroundings, and will not be of significant detriment to features of historical or ecological importance.
17. The applicant's calculations, which have been verified by the case officer, detail the existing volume of the buildings of 1023 m³. The Rural Development SPD details that a 30% increase in volume to the existing is not considered to be inappropriate. An increase of 30% would be a total volume of 1309 m³. Whilst the application seeks outline consent indicative plans have been submitted showing three dwellings on the site, which the agent states would have a volume of 1591m³. While this volume is above the 30% increase it could be that smaller dwellings could fall within the policy requirement. However, the assessment of openness does not solely relate to a simple volume calculation. The building to be demolished is located to the south west of the site, and therefore the redevelopment of the site would result in built form spread further across the site. Given the above, it is considered that the proposed development would have a materially greater impact on the openness of the Green Belt than the existing development and as such represents inappropriate development in the Green Belt.

Impact on the character and appearance of the area

18. Policy BNE1 (Design Criteria for New Development) of the Chorley Local Plan 2012 -2026 stipulates that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided the proposal does not have a significantly detrimental impact on the surrounding area by virtue of its density, siting, layout, building to plot ratio, height, scale and massing, design, orientation and use of materials; and that the layout, design and landscaping of all elements of the proposal, including any internal roads, car parking, footpaths and open spaces, are of a high quality and respect the character of the site and local area.
19. This application seeks outline consent with all matters reserved, therefore should a reserved matters application be submitted a full assessment of the design and siting would be carried out. As noted in the preceding section of this report, it is considered that single storey buildings as a maximum would be an appropriate scale for the proposed dwellings, given part of the site is elevated. This would help to reduce the visual impact of the proposal from distance views, and reduce the prominence of the built form from public vantage points. It is considered that dwelling of such scale could be designed in a way that would ensure the proposal is not harmful to the character and appearance of the area.

Impact on neighbouring amenity

20. Policy BNE1 (Design Criteria for New Development) of the Chorley Local Plan 2012 -2026 stipulates that planning permission will be granted for new development, including

extensions, conversions and free standing structures, provided that, where relevant to the development the proposal would not cause harm to any neighbouring property by virtue of overlooking, overshadowing, or by creating an overbearing impact; and that the proposal would not cause an unacceptable degree of noise disturbance to surrounding land uses.

21. Given this is an outline application, the impact of the proposal on neighbour amenity would be a detailed matter that would be assessed at reserved matters stage. Any proposed scheme would need to ensure that an acceptable layout is achieved with adequate separation distances between dwellings, to avoid adverse impacts on neighbouring residential amenity, and that of future occupiers. That said, given the proximity of the nearest existing dwellings to the application site, it is considered unlikely that the proposal would give rise to any unacceptable impacts with regards to residential amenity. In terms of land use compatibility, the proposed residential use would be compatible with neighbouring uses.

Highway safety

22. Policy BNE1 (Design Criteria for New Development) of the Chorley Local Plan 2012 -2026 stipulates that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that the residual cumulative highways impact of the development is not severe and it would not prejudice highway safety, pedestrian safety, the free flow of traffic, and would not reduce the number of on-site parking spaces to below the standards stated in Site Allocations Policy – Parking Standards, unless there are other material considerations which justify the reduction.
23. LCC Highway Services do not have any objections in principle to the proposal but state that vehicular access onto Preston Road within the adopted highway would need to be altered to provide footway, dropped kerbs and tactile paving. LCC Highways have requested that the applicant enters into a S278 to agreement for the alteration of the site access. A condition is recommended to secure the S278 agreement.
24. The illustrative site layout plan adequately demonstrates that the site could provide off street parking and vehicle manoeuvring areas in line with the parking standards set out in policy ST4 of the Chorley Local Plan 2012 – 2026 and Appendix A.
25. The proposal is considered to be acceptable in terms of highway safety having regard to policy BNE1 (d) of the Chorley Local Plan.

Ecology and trees

26. Policy BNE9 (Biodiversity and Nature Conservation) of the Chorley Local Plan 2012 – 2026 stipulates that Biodiversity and Ecological Network resources will be protected, conserved, restored and enhanced; and that priority will be given to, among other things, protecting, safeguarding and enhancing habitats for European, nationally and locally important species.
27. The Council's ecological advisors have reviewed the submitted ecological assessments submitted in support of the application and have responded with no objection to the proposal. The officer makes a number of recommendations for conditions relating to nesting birds, bio enhancements and further surveys submitted as part of a reserved matters application. Subject to these conditions it is considered that the proposal is acceptable in this regard.
28. The site contains some hedgerows and trees and so it is considered appropriate for a condition to be attached requiring the submission of an Arboricultural Method Statement and Tree Protection Plan in support of any future reserved matters application.

29. In light of the above, the potential ecological and arboricultural impacts of the proposal are considered acceptable, subject to conditions. The proposal is considered to comply with policy BNE9 of the Chorley Local Plan (2012-2016).

Very Special Circumstances

30. Paragraph 152 of the Frameworks states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 153 states when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
31. The application represents inappropriate development in the Green Belt, which should not be approved except in very special circumstances. As outlined above, the proposal would result in built form spread further across the site, which is currently devoid of built form. The site is previously developed land and is used as a haulage yard. The submission makes reference to the amount of lorries and vehicles that could be stored on the land, which would have an impact on openness. The land is largely hardstanding and while the parking of vehicles would not be considered within the volume assessment of openness, the operation of the site for a haulage yard would have an impact to the openness of the Green Belt through the activity associated with the parking of HGVs and other commercial vehicles. The submitted indicative plan illustrates a layout in which the landscaped parts of the site could be retained, whilst gardens with potentially improved landscaping would replace hardstanding. Furthermore, the proposed dwellings would be single storey, rather than the current larger building and hardstanding. It is therefore considered that the proposal would result in an overall visual improvement such that very special circumstances exist to outweigh the harm of the inappropriate development.

Community Infrastructure Levy

32. The Chorley CIL Infrastructure Charging Schedule provides a specific amount for development. The CIL Charging Schedule was adopted on 16 July 2013 and charging commenced on 1 September 2013. The proposed development would be a chargeable development and the charge is subject to indexation in accordance with the Council's Charging Schedule.

CONCLUSION

33. The proposed development would represent inappropriate development in the Green Belt, however, very special circumstances exist to outweigh the harm to the Green Belt. The development would not have an unacceptable adverse impact on the character and appearance of the surrounding area, nor would it cause any significant harm to the amenity of neighbouring residents, highway safety or ecology. It is, therefore, considered that the development accords with the National Planning Policy Framework and policies BNE1, BNE9 and BNE11 of the Chorley Local Plan 2012 – 2026. Consequently, it is recommended that the application is approved subject to 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.

Suggested Conditions

1. An application for approval of the reserved matters, namely the access, appearance, layout, landscaping and scale 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: This condition is required to be imposed by the provisions of Article 3 (1) of the Town and Country Planning (General Development Procedure) Order 1995 and 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 development hereby permitted shall be carried out in accordance with the approved plans below:

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

Title	Plan Ref	Received On
Location Plan	23 1248 L01	15 November 2023
Proposed Site Plan	23 1248 P01 Rev A	11 March 2024

3. The development shall be restricted to the following:

Scale: single storeys in height

Total combined volume of dwellinghouses: maximum of 1600 m3

Reason: To ensure that the development is acceptable in the Green Belt as an exception to inappropriate development in the Green Belt as listed in paragraph 154 (g) of the National Planning Policy Framework.

4. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway mitigation has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority.

Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site.

5. No part of the development hereby approved shall be occupied or opened for trading until all the highway works in condition 4 have been constructed and completed in accordance with a scheme that shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority.

Reason: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.

6. No works to trees, shrubs or hedgerows or demolition of any building shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and that appropriate measures in place to protect nesting bird interests on site. Written confirmation of such shall be submitted to the Local Planning Authority.

Reason: All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981 (as amended).

7. As part of the first application for reserved matters or prior to the commencement of the development a biodiversity enhancement plan and implementation timetable shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancement plan shall be implemented in full in accordance with the approved details and timetable.

Reason: To ensure biodiversity on the site is enhanced.

8. As part of the application for reserved matters or prior to the commencement of the development the following details shall be submitted to and approved in writing by the Local Planning Authority:

- a) Details of the colour, form and texture of all external facing materials to the proposed dwelling
- b) Details of the colour, form and texture of all hard ground- surfacing materials.
- c) Location, design and materials of all fences, walls and other boundary treatments.
- d) The finished floor level of the proposed dwelling and any detached garages

The development thereafter shall be completed in accordance with the approved details. Prior to the first occupation of the dwelling hereby permitted all fences and walls shown in the approved details to bound its plot shall have been erected in conformity with the approved details.

Reason: In the interests of the visual amenities and character of the area and to provide reasonable standards of privacy to residents.

9. A scheme for the landscaping of the development and its surroundings shall be submitted as part of the reserved matters application. These details shall include 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, proposed finished levels, means of enclosure, minor artefacts and structures. The scheme should include a landscaping/habitat creation and management plan which should aim to contribute to targets specified in the UK and Lancashire Biodiversity Action Plans. Landscaping proposals should comprise only native plant communities appropriate to the natural area. The content of the plan should include elements to mitigate for loss of trees shrubs and bird nesting habitat.

All hard and soft landscape works shall be carried out in accordance with the approved details within 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.

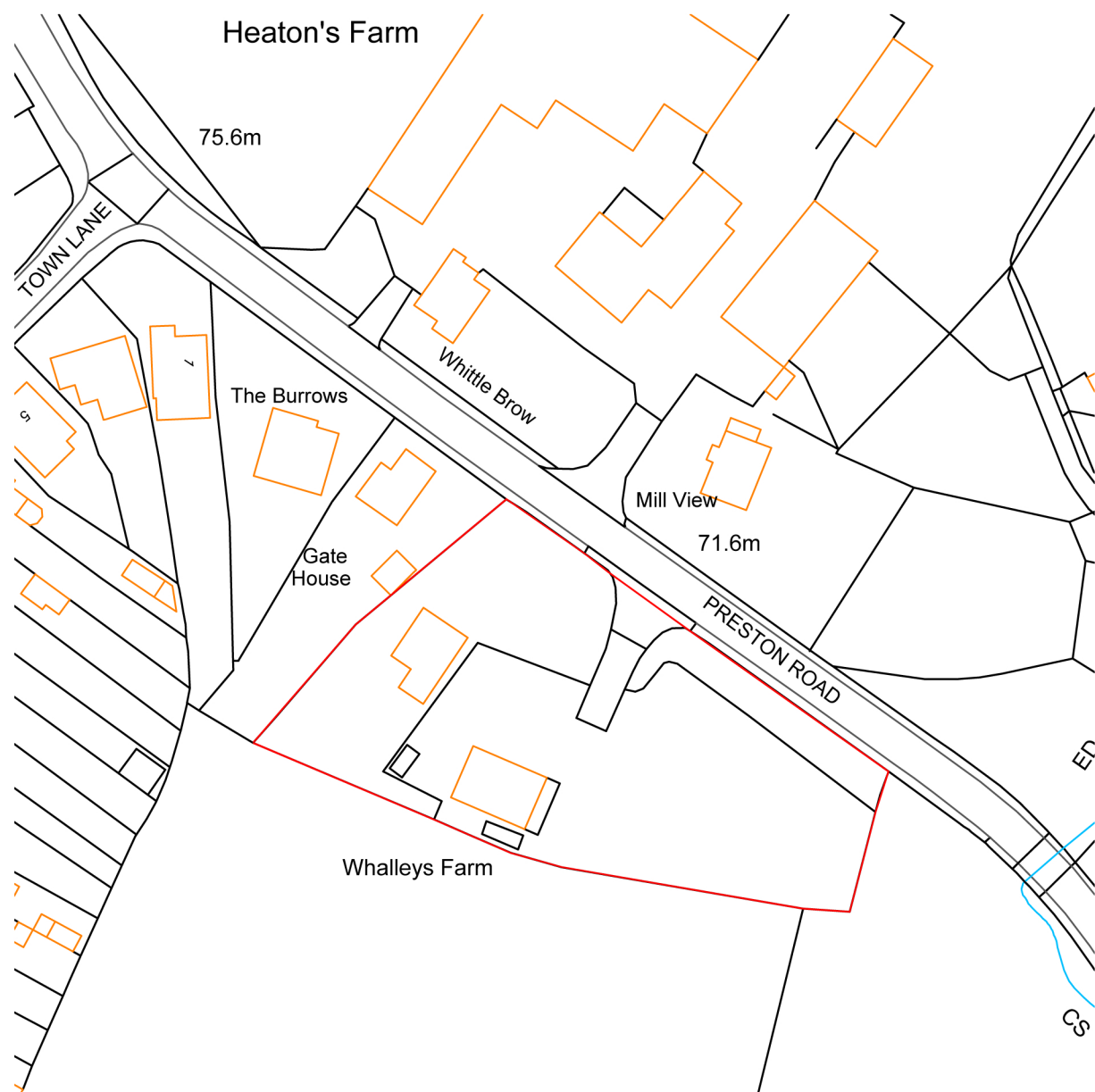
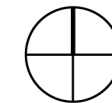
Reason: To ensure that a satisfactory landscaping scheme for the development is carried out to mitigate the impact of the development and secure a high quality design.

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

Reason: To protect the appearance of the locality and in the interests of the amenities of local residents and to ensure that any reserved matter(s) application can be properly assessed.

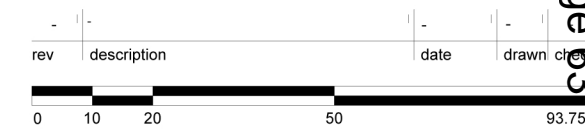
11. The existing buildings on the site identified on drawing 23-1248-IL01 Rev. A shall have been demolished and all resultant materials removed from the site prior to any above ground level development of the dwellings hereby approved.

Reason: To protect the openness of the Green Belt



4829m² (0.4829ha)

— Site Boundary



client
Barton Civil Engineering

project
Whalleys Farm
Preston Road, Charnock Richard
PR7 5HR

drawing
Location Plan

file name 23 1248 PLANNING	drawn 26-Oct-23
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drawing reference 23 1248 L01	rev -	scale 1:1250 @ A3
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issue status PLANNING	original by EMS
	checked by MAG

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Agenda Page 53

Agenda Item 3c

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Planning Committee Meeting

26th March 2024



Item 3c

23/00984/OUT

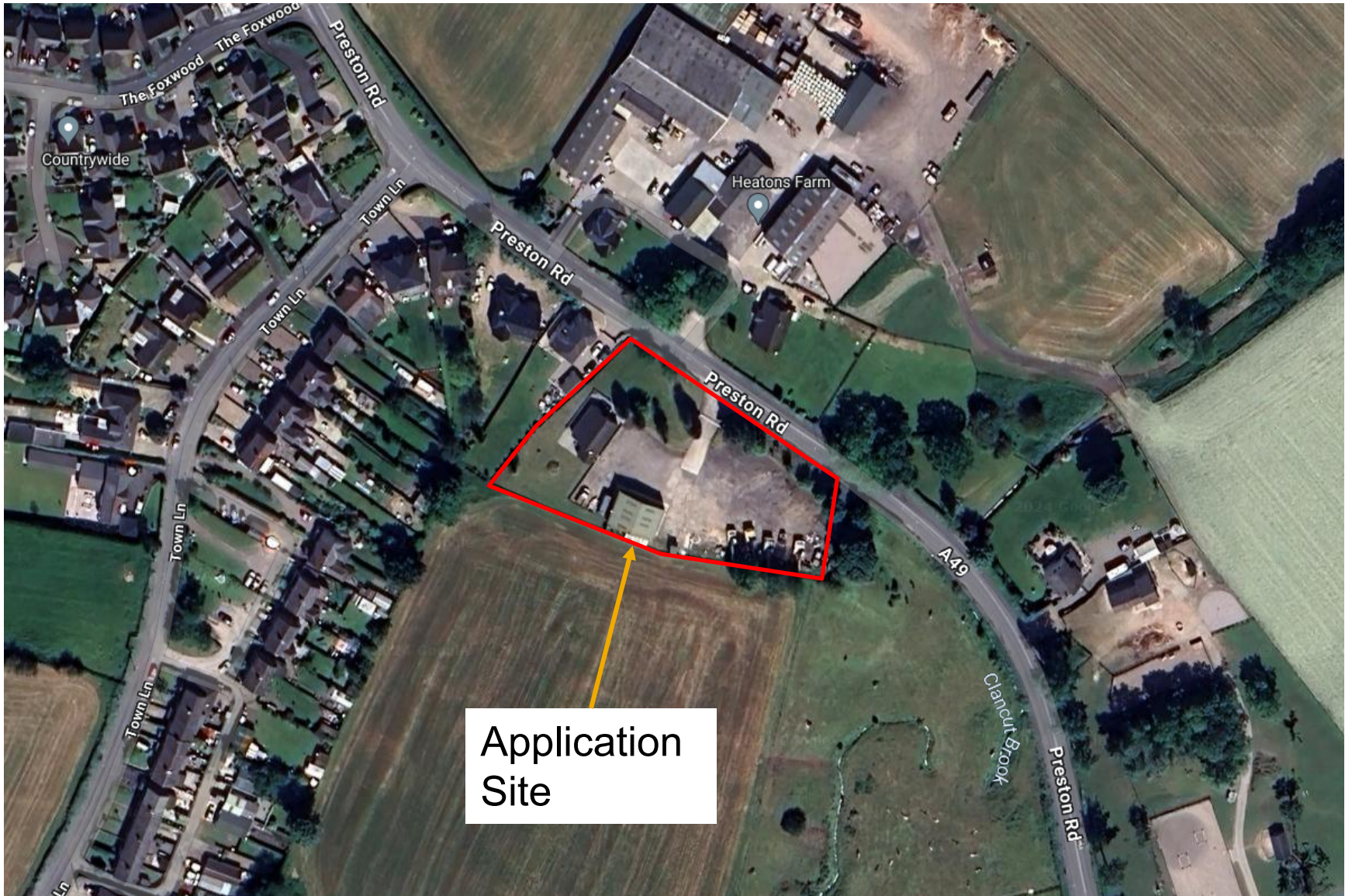
Whalleys Farm, Preston Road, Charnock,
Richard, Chorley, PR7 5HR

Outline planning application to redevelop the haulage yard and workshop and erect three bungalows with access (all other matters reserved)

Location Plan



Aerial photo



Indicative Layout Plan



Site Photos –



Site Photos – View from east



Site Photos –



Site Photos – Existing access



Site Photos – Existing building



Site Photos



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APPLICATION REPORT – 24/00115/P3PAN

Validation Date: 7 February 2024

Ward: Chorley North West

Type of Application: Prior Approval from Retail to Dwelling

Proposal: Prior approval application under Schedule 2, Part 3, Class M(a) of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the proposed change of use of no. 20 St Thomas Road from Commercial, Business and Service (Use Class E) to 2no. 1 bedroom flats and 1no. 2 bedroom flat

Location: Yates Barns 20 St Thomas Road Chorley PR7 1HR

Case Officer: Chris Smith

Applicant: Mr Ben Gilkes

Agent: Mr Ben Gilkes

Consultation expiry: 7 March 2024

Decision due by: 2 April 2024

RECOMMENDATION

1. Prior approval is required, and it is recommended that it should be granted.

SITE DESCRIPTION

2. The application site is located within the settlement area of Chorley as defined by the Chorley Local Plan 2012-2026 on the northern side of St Thomas Road. The site is a two-storey semi-detached property accommodating offices for a legal business. The immediate locality is a densely built-up urban environment approximately 60m to the west of Chorley Town Centre and it contains a mix of uses including terraced residential properties immediately to the north and a range of commercial and legal services businesses to the west and east of the site along St Thomas Road.

DESCRIPTION OF PROPOSED DEVELOPMENT

3. This is an application for prior approval under Part 3, Class M(a) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), for the proposed change of use of no. 20 St Thomas Road from Commercial, Business and Service use (Use Class E) to 2no. 1-bedroom flats and 1no. 2 bedroom flat.

REPRESENTATIONS

4. No representations have been received.

CONSULTATIONS

5. Chorley Council's Environmental Health Officer – Have not provided any comments.

6. Chorley Council's Waste & Contaminated Land Officer – Have stated that based on the available information, the Council currently has no concerns over ground contamination in relation to the site and the site is unlikely to be determined as contaminated land.
7. Lancashire Highway Services (LCC Highways) – Have stated that they cannot support the application due to the way in which cars currently access the existing car parking space and it is recommended that no off-street car parking is provided. LCC consider that the site is within a sustainable location with bus stops within close vicinity to the site and no off street car parking would be acceptable for the proposed three dwellings.

PLANNING CONSIDERATIONS

Procedural matters –

8. Part 3, Class M(a) of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), permits development consisting of a change of use of a building and any land within its curtilage from a use falling within Class E (commercial, business and service) of Schedule 2 to the Use Classes Order to a use falling within Class C3 (dwellinghouses) of Schedule 1 to that Order.

Assessment –

9. Development is not permitted by Class M(a) (assessment in bold):

- (a) unless the building has been vacant for a continuous period of at least 3 months immediately prior to the date of the application for prior approval;

The application form submitted with the application states that the building has been vacant for at least 3 months prior to the date of the application (7 February 2024) and there is no evidence to indicate that there have been any intervening uses during this timeframe. On this basis it is considered that the building has been vacant for more than 3 months prior to the date of the submission of the prior approval application.

- (b) unless the use of the building fell within one or more of the classes specified in subparagraph (2) for a continuous period of at least 2 years prior to the date of the application for prior approval;

The statement submitted with the application asserts that the property is a large semi-detached late Victorian/Edwardian residence which has been converted and used for many years as offices by a firm of solicitors. The Council granted planning permission for the conversion of the property to a residential use in June 2015 (ref. 14/00324/FUL), however, there is no evidence that the property was converted and the application form submitted with the application states that the building has been used for a continuous period of at least 2 years immediately prior to the date of the application for a commercial, business and service use (Use Class E).

Consequently, given that there is no evidence to indicate that there has been any material change of use of the building from its lawful use as offices for a solicitors firm, it is considered that the established lawful use of the building would have fallen within Use Class B1(a) (offices) of the Town and Country Planning (Use Classes) Order 1987 prior to the introduction of the updated Use Classes in September 2021.

Use Class B1 is specified at subparagraph 2 of this part of the GPDO and the development, therefore, accords with the above criteria (b).

- (c) if the cumulative floor space of the existing building changing use under Class MA exceeds 1,500 square metres;

The cumulative floorspace of the existing building is less than 1,500 square metres.

- (d) if land covered by, or within the curtilage of, the building—
- (i) is or forms part of a site of special scientific interest;
 - (ii) is or forms part of a listed building or land within its curtilage;
 - (iii) is or forms part of a scheduled monument or land within its curtilage;
 - (iv) is or forms part of a safety hazard area; or
 - (v) is or forms part of a military explosives storage area;

There is no conflict with the above criteria (d) (i to v).

- (e) if the building is within—
- (i) an area of outstanding natural beauty;
 - (ii) an area specified by the Secretary of State for the purposes of section 41(3) of the Wildlife and Countryside Act 198155;
 - (iii) the Broads;
 - (iv) a National Park; or
 - (v) a World Heritage Site;

There is no conflict with the above criteria (e) (i to v).

- (f) if the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained;

The site is not occupied under an agricultural tenancy.

- (g) before 1 August 2022, if—
- (i) the proposed development is of a description falling within Class O of this Part as that Class had effect immediately before 1st August 2021; and
 - (ii) the development would not have been permitted under Class O immediately before 1st August 2021 by virtue of the operation of a direction under article 4(1) of this Order which has not since been cancelled in accordance with the provisions of Schedule 3.

A direction under article 4(1) of this Order does not apply to the site.

Prior approval -

10. Development under Class MA is permitted subject to the condition that before beginning development under Class MA, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to:

- (a) transport impacts of the development, particularly to ensure safe site access;
- (b) contamination risks in relation to the building;
- (c) flooding risks;
- (d) impacts of noise from commercial premises on the intended occupiers of the development;
- (e) where— (i) the building is located in a conservation area, and (ii) the development involves a change of use of the whole or part of the ground floor, the impact of that change of use on the character or sustainability of the conservation area;
- (f) the provision of adequate natural light in all habitable rooms of the dwellinghouses;
- (g) the impact on intended occupiers of the development of the introduction of residential use in an area the authority considers to be important for general or heavy industry, waste management, storage and distribution, or a mix of such uses; and
- (h) where the development involves the loss of services provided by—
 - (i) a registered nursery, or
 - (ii) a health centre maintained under section 2 or 3 of the National Health Service Act 2006, the impact on the local provision of the type of services lost; and
- (i) where the development meets the fire risk condition, the fire safety impacts on the intended occupants of the building.

11. Considering each of the above in turn:

a) Transport and highways impact of the development

LCC Highways have stated that they cannot support the application in its current form on the basis that the provision of 2no. off road car parking spaces to front of the property alongside St Thomas Road would not be acceptable as cars would need to drive into the frontage using the pedestrian footway. They stated that this is a highway safety concern due to St Thomas Road being the A581 with a high volume of traffic. However, it is noted that the site frontage has been used for off road car parking for the previous use of the site as offices and benefits from access from the highway via a dropped kerb, which is acknowledged by LCC. It is not considered that off road car parking for the proposed development would have a significantly greater or more adverse impact on highway safety than the current arrangement, which can continue in any event should the lawful use of the building as offices be retained. Furthermore, it is not considered that there would be a material change in the amount of traffic in the vicinity of the site as a result of the development or that the proposed development would attract a greater number of vehicles than the previous use of the building as offices.

Policy ST4 of the Chorley Local Plan 2012-2026 requires that proposals for development need to make parking provision in accordance with the standards set out in Appendix A of the Local Plan. Appendix A identifies the Council's minimum parking standards for new development as the provision of 3 spaces for a development of the type proposed i.e. 2no. one-bedroom dwellinghouses and 1no. two-bedroom dwellinghouse. Although the development would result in an under provision of 1no. space, this compares favourably with the existing use of the site as offices which generates a greater requirement for 7.5 spaces under Policy ST4, and thus there is currently a greater level of under provision than that which would occur as a result of the development now proposed.

LCC Highways also stated that the site has access to a storage unit from Springfield Road, which is not shown within the red edge of the site and, therefore, the plans should show the status of this land from the adopted public highway to the storage unit, along with an area marked for safe pedestrian access. However, the applicant's agent clarified that this land does not fall under the applicant's ownership. Consequently, the Council cannot require the submission of the information requested by LCC Highways.

Overall it is not considered that the proposed development would prejudice highway or pedestrian safety or have any adverse impact on highway amenity or capacity.

b) Contamination risks on the site

The Council currently has no concerns over ground contamination in relation to this site and the site is unlikely to be determined as Contaminated Land.

c) Flooding risks

Paragraph W.6 of Part 3 of the GPDO states:

Where an application relates to prior approval as to the flooding risks on the site, on receipt of the application, the local planning authority must consult the Environment Agency where the development is—

- a) In an area within Flood Zone 2 or Flood Zone 3; or*
- (b) In an area within Flood Zone 1 which has critical drainage problems, and which has been notified to the local planning authority by the Environment Agency for the purpose of paragraph (zc)(ii) in the Table in Schedule 4 to the Procedure Order.*

In this case the application site does not lie within flood zone 2 or 3, or an area that is susceptible to surface water flooding.

d) Impacts of noise from commercial premises

There are several commercial premises located within the immediate locality including several legal and commercial business on either side of the site along St Thomas Road. However, it is considered that these are relatively low intensity daytime uses that would have a negligible impact on the amenity of the future occupiers of the proposed flats.

e) Impacts on character or sustainability of the Conservation Area

The site is not located in a Conservation Area.

f) Provision of adequate natural light in all habitable rooms

Proposed floor plans have been submitted which show that all habitable rooms would benefit from windows, and it is considered, therefore, that future habitable rooms would receive adequate levels of natural light.

g) Impact on intended occupiers of the development of residential use in an area the authority considers to be important for general or heavy industry, waste management, storage and distribution, or a mix of such uses

It is not considered that the site is located within an area that is important for heavy industry, waste management, storage and distribution, or a mix of such uses as none of these uses are evident within the immediate locality.

h) where the development involves the loss of services provided by—

(i) a registered nursery, or

(ii) a health centre maintained under section 2 or 3 of the National Health Service Act 2006, the impact on the local provision of the type of services lost;

The development would not involve the loss of services provided by a registered nursery, or a health centre maintained under section 2 or 3 of the National Health Service Act 2006.

i) Where the development meets the fire risk condition, the fire safety impacts on the intended occupants of the building

Paragraph MA.3 states that development meets the fire risk condition if it relates to a building which would contain two or more dwellinghouses and satisfies the height condition in paragraph (3), read with paragraph (7), of article 9A (fire statements) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Whilst the proposed development relates to a building which would contain 2no. dwellinghouses, the height condition at paragraph 3 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 states that:

(3) *The height condition is that—*

(a) the building is 18 metres or more in height; or

(b) the building contains 7 or more storeys.

However, the proposed development relates to a building which would be less than 18m in height and it would contain fewer than 7 storeys and, therefore, the fire risk condition is not applicable in this instance.

CONCLUSION

12. It is considered that the proposed change of use meets the criteria of the legislation. It is recommended, therefore, that prior approval is required and that it is granted subject to required conditions.

RELEVANT POLICIES: Schedule 2, Part 3, Class M(a) of The Town and Country (General Permitted Development) (England) Order 2015 (as amended).

Suggested Conditions

1. The development must be completed within a period of 3 years starting with the date of this letter.

Reason: As required by Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

2. The building permitted to be used as dwellinghouses shall remain in use as dwellinghouses within the meaning of Class C3 of Schedule 1 to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the use as a dwellinghouse.

Reason: As required by Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

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

Title	Plan Ref	Received On
Location Plan	SD5817NW	9 February 2024
Ground Floor – Proposed	N/A	19 March 2024
First Floor – Proposed	N/A	19 March 2024

Reason: As required by Schedule 2, Part 3, Paragraph W(2)(bc) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

RELEVANT HISTORY OF THE SITE

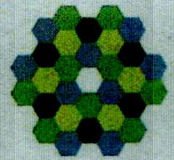
Ref: 76/00337/FUL **Decision:** PERFPP **Decision Date:** 15 June 1976
Description: Change of use of 1st floor offices to Art Gallery with retail outlet

Ref: 77/00211/FUL **Decision:** PERFPP **Decision Date:** 14 April 1977
Description: Double garage

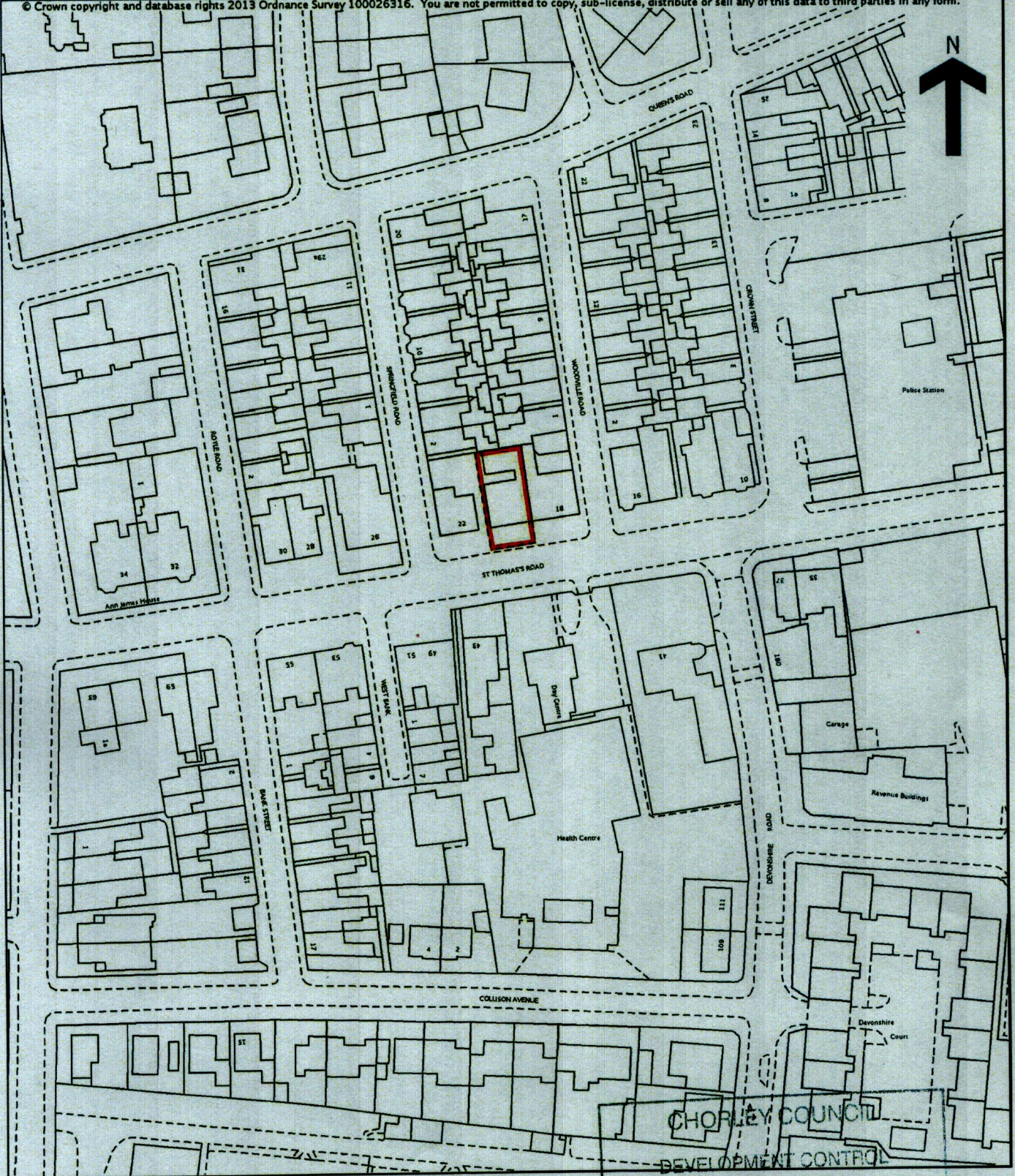
Ref: 14/00324/FUL **Decision:** PERFPP **Decision Date:** 12 June 2015
Description: Proposed change of use from solicitors office (A2) to residential (C3)

Land Registry Official copy of title plan

Title number **LAN137890**
Ordnance Survey map reference **SD5817NW**
Scale **1:1250**
Administrative area **Lancashire : Chorley**



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CHORLEY COUNCIL
DEVELOPMENT CONTROL

REC'D 24 APR 2014

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Planning Committee Meeting

26th March 2024



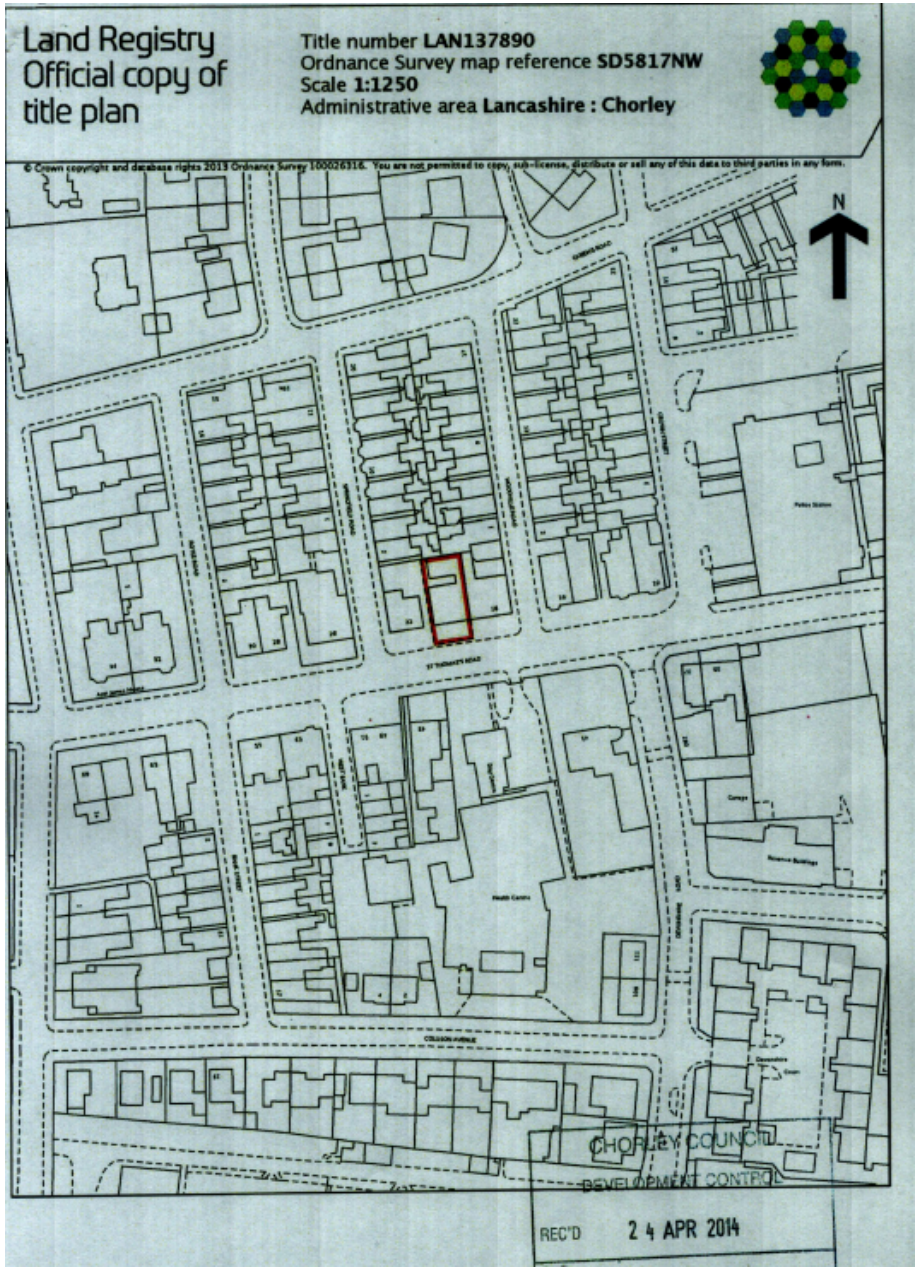
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24/00115/P3PAN

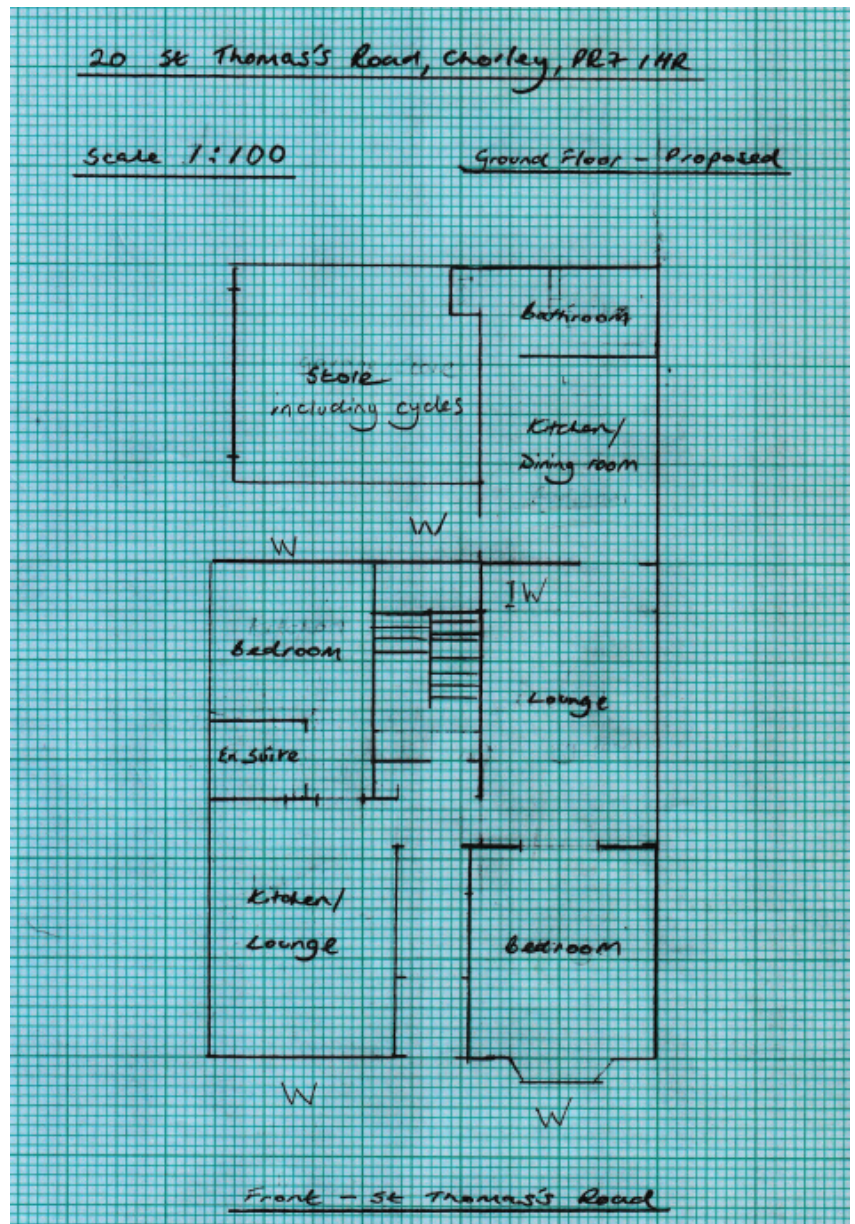
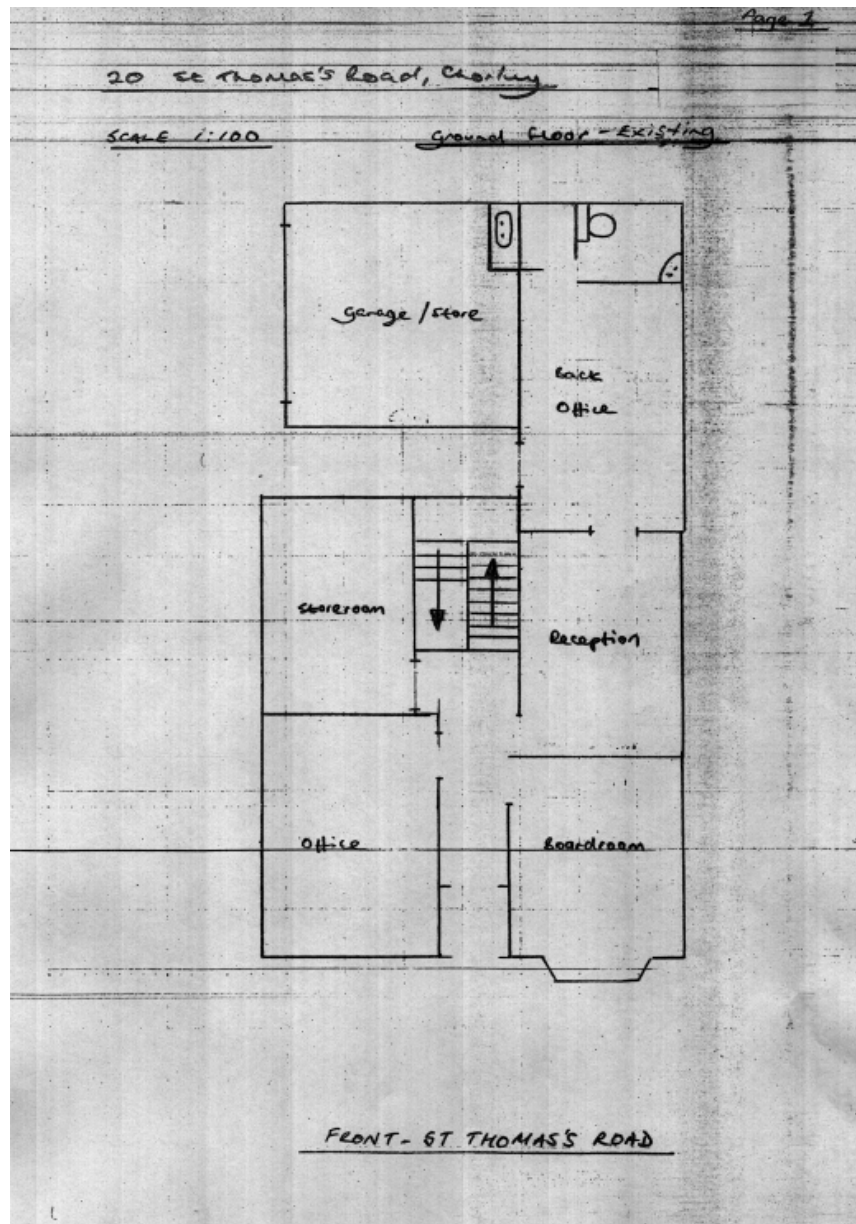
Yates Barns, 20 St Thomas Road, Chorley,
PR7 1HR

Prior approval application under Schedule 2, Part 3, Class M(a) of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the proposed change of use of no. 20 St Thomas Road from Commercial, Business and Service (Use Class E) to 2no. 1 bedroom flats and 1no. 2 bedroom flat

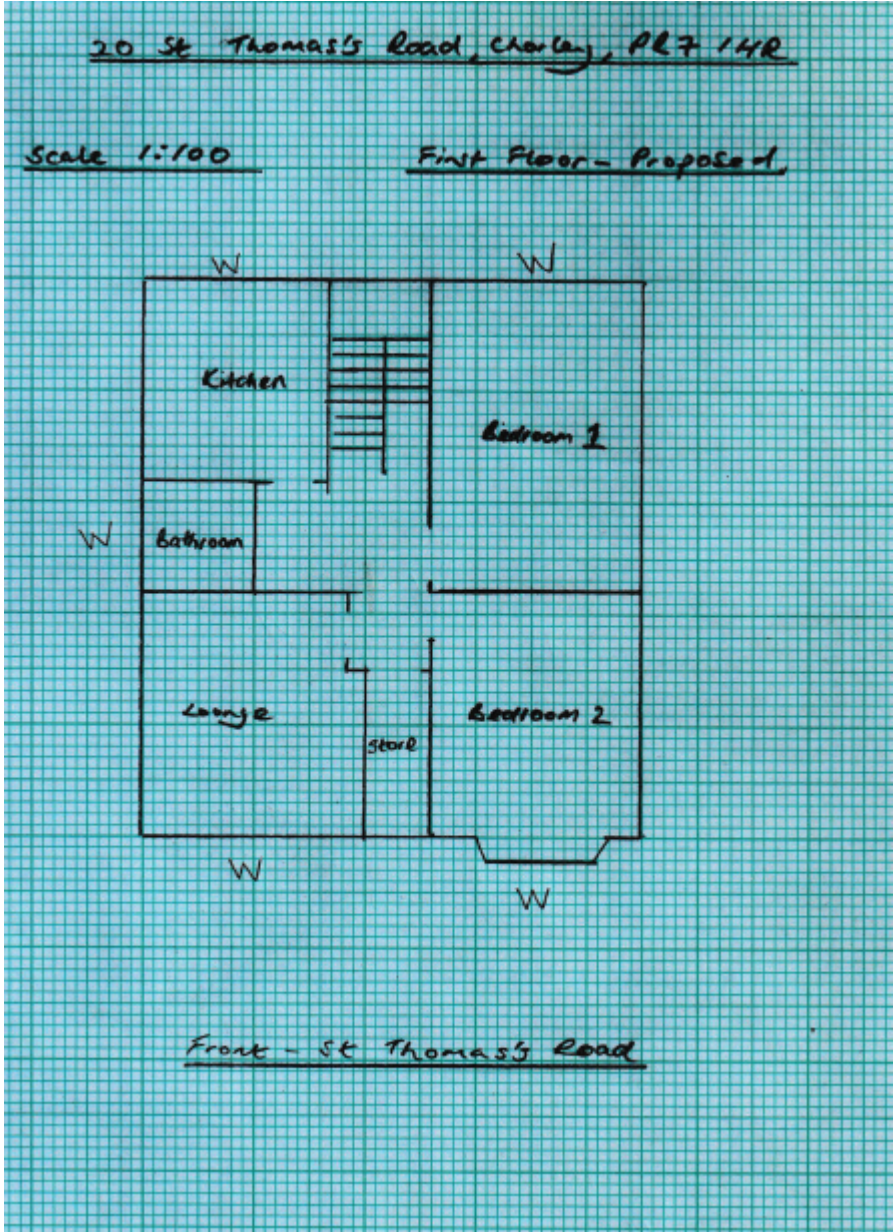
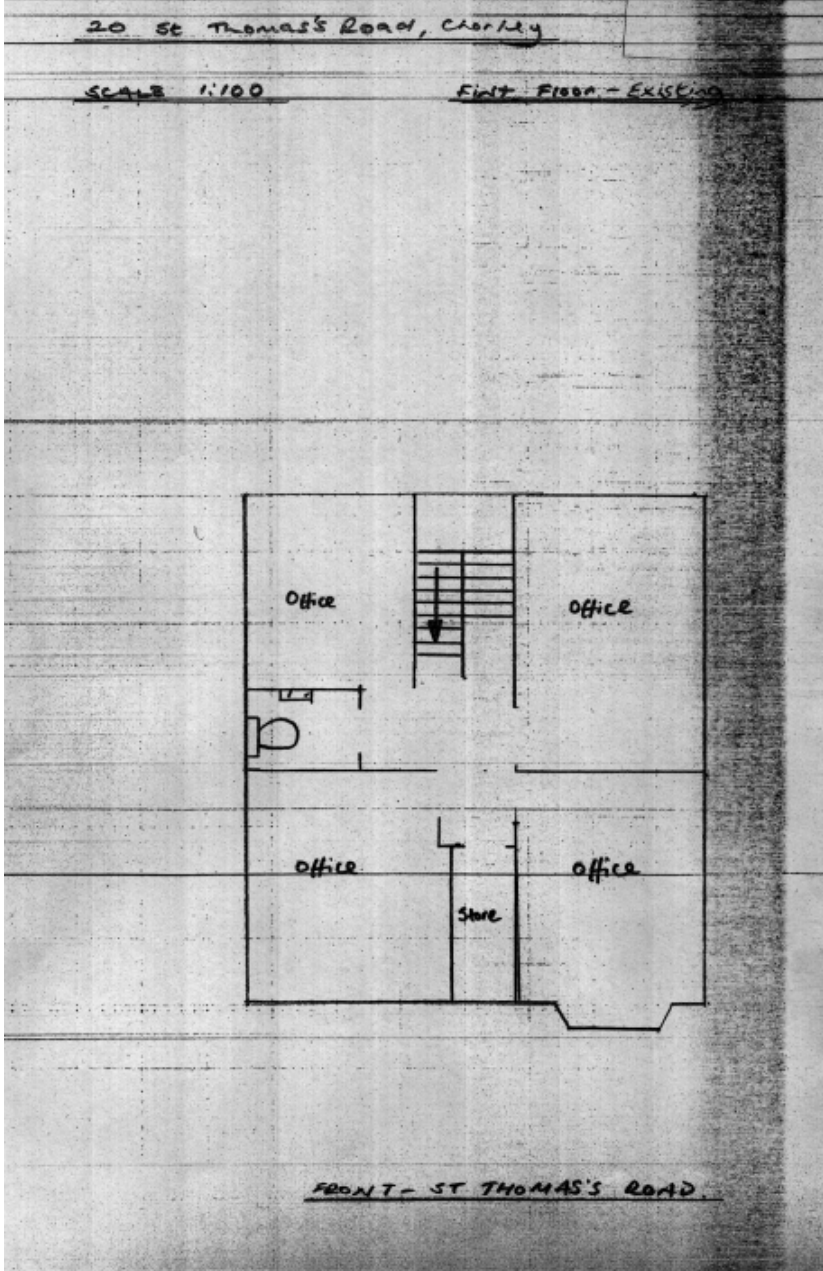
Location Plan



Existing and Proposed Ground Floor Plans



Existing and Proposed First Floor Plans



Site photo – view from west of the site



Site Photo – View from front



Site photo – View from front



Site photo – View towards rear of site from Springfield Road



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Report of	Meeting	Date
Head of Planning & Enforcement	Planning Committee	26 March 2024

PLANNING APPEALS AND DECISIONS RECEIVED BETWEEN 28 FEBRUARY 2024 AND 18 MARCH 2024

PLANNING APPEALS LODGED AND VALIDATED

Local Planning Authority Reference: 23/00436/OUT - Inspectorate Reference: APP/D2320/W/23/3335669

Appeal by Mr Benjamin Smith against the delegated decision to refuse outline planning permission for the erection of one detached dwelling with all matters reserved.

Land to the south of Stanworth Farm, Bolton Road, Withnell, Chorley, PR6 8BP.

Inspectorate letter confirming appeal valid received 6 March 2024.

PLANNING APPEAL DECISIONS

None

PLANNING APPEALS WITHDRAWN

None

ENFORCEMENT APPEALS LODGED

None

ENFORCEMENT APPEAL DECISIONS

None

ENFORCEMENT APPEALS WITHDRAWN

None

Report Author	Ext	Date	Doc ID
Adele Hayes	5228	18 March 2024	***

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