

APPLICATION REPORT – 23/00523/FUL

Validation Date: 30 June 2023

Ward: Adlington And Anderton

Type of Application: Full Planning

Proposal: Erection of first floor extension to main pet shop, erection of first floor extension to existing flat roofed portion at no 52, demolition of outbuildings and erection of single storey food store along with parking provisions

Location: Adlington Pets 52 Market Street Adlington Chorley PR7 4HF

Case Officer: Mrs Hannah Roper

Applicant: Mr Anthony Brown

Agent: PCE Designs Ltd

Consultation expiry: 31 October 2023

Decision due by: 16 November 2023 (Extension of time agreed)

RECOMMENDATION

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

SITE DESCRIPTION

2. The application relates to Adlington Pet Centre, an established commercial business on Market Street, Adlington. The property comprises a terraced unit at 52 Market Street which has a single storey flat roofed extension to the rear used for shop storage and a single storey flat roof structure located to the southwest of the terraced unit and accessed via gas street and with parking to its frontage. To the eastern boundary are two small storage units.
3. The property is located within the settlement area of Adlington, but outside the defined district centre. It is a mixed-use area with residential units directly to the south and eastern boundary, Adlington South Business Park on the opposite side of Market Street and Jubilee Playing Fields directly to the west.

DESCRIPTION OF PROPOSED DEVELOPMENT

4. The application seeks planning permission for the following:
 - i. First floor extension above an existing single storey extension to the rear of no. 52 Market Street. This would measure approximately 5.7m in width, 10.3m in depth, with a maximum ridge height of 7m with a hipped roof and is proposed for storage.
 - ii. First floor extension to the existing main shop building along the western boundary of the site, measuring approximately 25m in width at its frontage and 26m at the rear, due to the irregular shape of the building. The extension would have a dual pitched roof with an eaves height of approximately 5m and a ridge height of approximately 7m. A pitched roof with a maximum height of 3.6m would be added to a small remaining single storey element of the building at the southern end.

- iii. The existing storage buildings to the rear of the properties at 54-58 Market Street would be demolished and replaced with a single building. This would be located in a similar location and would have a footprint of approximately 10m x 4m with a mono pitched roof of approximately 2.3m in height at the rear, nearest the dwellings, and 3m at the front.
 - iv. Amendments to the car park would see it laid out formally to provide 13 spaces and 1 disabled space.
5. The application has been amended since its initial submission at the request of the case officer to pull the first floor back slightly so to comply with the Council's recommended minimum interface distance with the dwellings on Oxford Street and to change the parking layout.

REPRESENTATIONS

6. Seven letters of objection have been received from three addresses (three to the original plans and four to the amendments) raising the following issues:
- Big impact to properties on Oxford Street and Market Street.
 - Privacy and views would be impacted.
 - Increase in height of the building would overlook garden and give views directly into properties.
 - Loss of view of the green space to the rear.
 - Increased noise levels during the construction period and then during operation hours.
 - Loss of light to homes and gardens.
 - Decrease of property values is significant.
 - Negative impacts on mental health.
 - There would be insufficient space to park.
 - This is a residential area. Businesses should be redirected elsewhere.
 - Increase in vermin with more food storage.
 - Previous application rejected.
 - Objections to the length of the re-consultation period.
 - The application form is incorrect as it has been declared that there are no trees on any neighbouring sites.
 - There is a purpose-built business park opposite.

CONSULTATIONS

7. Lancashire Highway Services – no objection subject to the removal of two parking spaces proposed.
8. Adlington Parish Council – no objection
9. CIL Officers – proposal is CIL liable.
10. Canal & River Trust – no comments received.

PLANNING CONSIDERATIONS

Principle of development

11. The application seeks planning permission to add first floors to the existing shop unit and the existing storage area to the rear of number 52 Market Street and to replace the existing food storage buildings with a new building.
12. Retail units fall within the definition of a 'main town centre use' at Annex 2 of the National Planning Policy Framework. Paragraph 87 of the Framework states that: '*Local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town*

centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.'

13. Paragraph 90 of the Framework, however, states that *'When assessing applications for retail and leisure developments outside town centres, which are not in accordance with an up to date plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default is 2,500m² of gross floorspace).'*
14. Chorley Local Plan policy EP9 (Development in Edge of Centre and Out-of-Centre locations) provides that outside the town, district and local centres, change of use and development for small-scale shopping and town centre uses will be permitted where:
 - a) The proposal meets a local need and can be accessed in its catchment by walking, cycling and public transport; 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.
15. The provision of retail space would be considered a main town centre use. Where they are proposed outside of the main town centres but below 2,500m² in floor space, a sequential test should be submitted to support the application.
16. The supporting text to policy EP9, however, provides that there will be instances where small local shops and other town centre uses will be desirable outside the borough's identified centres and retail hierarchy. Such proposals will be necessary to meet a local need which cannot be provided for in Town, District or Local Centres and generally be accessible to local communities by walking, cycling or public transport.
17. The original application for a pet shop on the site was granted in 1986. The use of the site as a pet shop is therefore clearly well established and has evolved and expanded over time, now requiring further space for expansion.
18. The use of the site, which includes the sale of animals has adapted to accommodate this which requires significant space, specialist conditions and parking which would perhaps not be best suited to a town centre environment. Whilst not in the town centre, the unit is surrounded by a mix of development including commercial uses, a café, car wash and petrol filling station as well as the purpose-built business park on the opposite side of Market Street.
19. The site is in a sustainable location, with parking available within the yard to the frontage and bus services available along Market Street directly to the front of the site. The application also seeks to regularise the parking layout at the system including the provision of a disabled bay.
20. Overall, whilst the site is outside of the defined centre, the current proposal is relatively small-scale and would not harm the function, vitality and viability of the defined centres due to its specialist nature and complies with the aforementioned policy.

Siting, scale and design on the character and appearance of the area

21. Policy BNE1 of the adopted Chorley Local Plan 2012 – 2026 considers that planning permission should be granted for proposals which do not have a significantly detrimental impact on the surrounding area by virtue of its density, layout, height, scale, massing, design, orientation and use of materials.
22. The proposed extensions would all be located within the site and set back from the main road frontage along Market Street. Glimpses of the buildings could be achieved along Gas Street, however the addition of the first-floor elements with pitched roofs are considered to

represent an improvement on the existing flat roofed buildings which appear to have evolved organically over time.

23. The first floor to the main pet shop would be viewed from the recreation space to the rear. At the current time the rear elevation is constructed of breeze blocks. The proposed first floor would be finished in composite cladding which would represent an improvement on the existing choice of materials. Given that views from the recreational area are currently of the rear elevations of the properties along this stretch of Mark Street it is not considered that the addition of the first floor, including pitched roof, would be detrimental to the surrounding area.
24. The proposed food storage unit would be located in the southeastern corner of the site and as such would be screened by the surrounding buildings and would not result in any detrimental impact on the locality.
25. On this basis it is considered that the proposal accords with Policy BNE1 of the Chorley Local plan and is acceptable in terms of the proposed design and appearance which is consistent with the character of the locality.

Impact on the amenity of neighbouring occupiers

26. Policy BNE1 of the Chorley Local Plan 2012-2026 states that planning permission will be granted for new development provided that, the development would not cause harm to any neighbouring property by virtue of overlooking, overshadowing or by creating overbearing impacts.
27. The site is surrounded by a variety of uses, including residential properties to the south, east and north. The impacts of each element of the proposal are considered below.
28. Considering the first-floor extension to the storage area at the rear of the terraced property of no. 52 Market Street. No.50 Market Street, the adjoining terraced dwelling to the north, has rear facing habitable room windows. The application property has a large existing two-storey projection to the rear with a blank 9m high wall along the common boundary with no.50, extending over 10m. This projection already extends over 8m beyond a 45-degree line drawn from the nearest habitable room window of no.50 and extends well beyond the small courtyard garden to the rear of No.50. The neighbouring property is also surrounded to the west and north with buildings associated with the neighbouring carwash.
29. The proposed extension would extend an additional 5m and would have a hipped roof 7m in height. Given the existing relationship between the two properties, it is not considered that the proposed development of the first floor at number 52 would result in a worsening of this relationship such that a refusal could be justified. On this basis the proposal is considered to be acceptable in relation to its potential impacts upon the residential amenity of the occupants of this property.
30. The proposed food store building would be located along the eastern boundary of the site, separated from the rear boundaries of the residential dwellings at 54 to 58 Market Street by a small alleyway. Two existing storage units are located in a similar position to the proposed building, currently extending a combined length of 14m with a gap of 0.9m separating them. They have a maximum eaves height of 2.4m along the common boundary. The proposed store would have a mono-pitched roof of height of 2.3m at the rear closest to the common boundary. Whilst the proposed roof raises to 3m in maximum height, this projects away from these dwellings and therefore the difference in terms of any impacts upon the occupants of these dwellings compared to the existing situation is negligible.
31. It should be noted that the separation distance between the existing units and the surrounding residential properties are already substandard, and the proposal would not worsen the existing situation, albeit it would unify the storage provision into one modern unit. On this basis, the relationship is considered to be acceptable.

32. Finally, considering the relationship between the proposed first floor shop element and the residential properties along Oxford Street. The dwellings are terraced properties separated from the application site by a rear alley.
33. The proposed first floor shop element would be squared off resulting in the closest point of the building, the southeast corner, being 2.8m away from the boundary of the nearest dwelling on Oxford Street and the southwest corner being 4.3m away.
34. Whilst no. 18 Oxford Street sits beyond the rear elevation of the shop and so would not be impacted by the proposal, the rear of nos. 14 and 16 face (at least partially and at an angle) the southern (side) elevation of the shop.
35. No. 16 has facing habitable room windows in a small ground floor extension and in that of the main dwelling. The window in the extension of the dwelling would maintain a distance of 12m to the side elevation of the proposed first floor shop extension, with the window in the main dwelling being further away. No. 14 has no rear facing windows in its ground floor extension. Given the angle between the first-floor element and these properties and the location to the north it is not considered that any impact on the occupants of these properties would be sufficient to substantiate a recommendation for refusal in this instance.
36. Concerns have been raised by local residents regarding loss of privacy as a result of the proposal. The nearest first floor window would be located in close proximity to the common boundary. To ensure there is no loss of privacy to neighbouring residents, a suitably worded condition could be utilised to ensure that this window is obscurely glazed.
37. With regard to issues of outlook and loss of views of the park from dwellings, it is acknowledged that there would be a change in the outlook of the surrounding properties however the loss of a view is not a material planning consideration.
38. Similarly, it is not the purpose of the Planning System to protect private interests such as property values. As such these are also not a material planning consideration and weight cannot be given to this in the assessment of the proposal.
39. In light of the above, it is not considered that the proposed development would result in any unacceptable impacts to the amenity to the occupants of surrounding dwellings and the proposal accords with Policy BNE1 of the Chorley Local Plan in this regard.

Highway safety

40. Policy BNE1 of the Chorley Local Plan 2012-2026 states that planning permission will be granted where the residual, cumulative highways impact of the development is not severe and would not prejudice highway safety, pedestrian safety, the free flow of traffic and would not reduce the number of parking spaces. It is noted that LCC Highway Services have raised no objection to the proposed development.
41. The proposal seeks permission for an extension to the existing retail unit. Lancashire County Council Highways have been consulted on the proposal and have raised no concerns in relation to highway safety, amenity or capacity, subject to the removal of parking initially proposed alongside no. 54 Market Street. This raised concerns that such parking would obstruct entry to the carpark and pedestrians entering the site. The submitted plans were amended accordingly.
42. No concerns are raised regarding the potential for cars to park on Market Street, should the carpark be full, as parking on Market Street would not obstruct the safe and free flow of all highway users and large vehicles and, as a result, highway safety. The highway offers good visibility for crossing the road to access the site on foot.
43. As such, and subject to a condition to require the carparking to be laid out prior to first use of the extensions, the proposal is therefore considered to accord with Policy BNE1.

CONCLUSION

44. The proposed development would not adversely affect neighbouring residential amenity, highway safety or the function, vitality and viability of the borough's hierarchy of centres. The proposal is therefore recommended for conditional approval.

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
Site Location	PCE-Brown-1-May-23 Ex Site Location	13 October 2023
Main Shop Proposal	PCE-Brown-1-May-23-Main Shop Pro	19 September 2023
Number 52	PCE-Brown-1-May-23-Number52,Pro	20 June 2023
Proposed Food Store	PCE-Brown-1-May-23-Pro Food Store	20 June 2023

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

3. The external facing materials, detailed on the submitted application form, shall be used, including brickwork and roof materials of the extension to number 52 Market Street that match in colour, form and texture to those on the existing building, with no others across the proposal, substituted unless alternatives are first submitted to and agreed in writing by the Local Planning Authority, when the development shall then be carried out in accordance with the alternatives approved.

Reason: To ensure that the materials used are visually appropriate to the locality.

4. The parking spaces/hard surfacing shown on the site plan forming part of Plan PCE-Brown-1-May-23-Ex Site Location, received by the Local Planning Authority on 13.10.2023, shall be surfaced or paved, drained and made available in accordance with the approved plan prior to the first occupation of the extensions, hereby approved and shall thereafter be permanently retained for that purpose (notwithstanding the Town and Country Planning (General Permitted Development) Order 2015).

Reason: To ensure that adequate off-street parking in the interests of highway safety and in accordance with the National Planning Policy Framework (2021).

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order, with or without modification), no additional windows or doors, other than those expressly authorised by this permission, shall be inserted or constructed at any time in the extended property.

Reason: To protect the amenities and privacy of the adjoining property.

6. The first-floor window, located above the door shown on plan reference PCE-Brown-1-May-23-Main Shop Pro, and closest to the common boundary with the properties at 14 to 18 Oxford Street, shall be fitted with obscure glass and the obscure glazing shall be retained at all times thereafter. The obscure glazing shall be to at least Level 5 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing by the local planning authority.

Reason: To protect the privacy of the adjoining property.

RELEVANT HISTORY OF THE SITE

Ref: 12/00163/ADV **Decision:** PERADV **Decision Date:** 12 June 2012
Description: Installation of wall mounted advertisement, measuring 1.8 x 3m with external illumination

Ref: 86/00627/FUL **Decision:** PERFPP **Decision Date:** 30 September 1986
Description: Change of use to a pet shop

Ref: 75/00151/FUL **Decision:** PERFPP **Decision Date:** 9 June 1975
Description: Extension (workshop/store)