

APPLICATION REPORT – 19/00683/FUL

Validation Date: 18 July 2019

Ward: Chorley South East

Type of Application: Full Planning

Proposal: Conversion of shop into 5no. apartments

Location: Chorley Domestic Supplies 31 - 33 Cunliffe Street Chorley PR7 2BA

Case Officer: Amy Aspinall

Authorising Officer:

Applicant: Mark Little, M&S Project Development Ltd

Agent: Ashall Town Planning

Consultation expiry: 21 November 2019

Decision due by: 17 January 2020 (Extension of time agreed)

UPDATE REPORT:

It is recommended that planning permission is granted, subject to conditions and a legal agreement to secure financial contributions for public open space (improvements to provision for children/young people)

Members will recall that this application was originally reported to Committee on 10th December 2019 and a decision was deferred so that members could undertake a site visit.

PREVIOUS REPORT

RECOMMENDATION

1. It is recommended that planning permission is granted, subject to conditions and a legal agreement to secure financial contributions for public open space (improvements to provision for children/young people)

SITE DESCRIPTION

2. The application site lies just outside the Town Centre boundary, as defined by the Chorley Local Plan Policies Map. The existing building is comprised of a former retail unit at ground floor and offices on other levels.

DESCRIPTION OF PROPOSED DEVELOPMENT

3. The application seeks full planning permission to convert the existing building to 5no. flats. This includes alterations to the front elevation to remove the shop front and alterations to include the insertion of windows and doors and pitched roof to the existing flat roof to the rear.

REPRESENTATIONS

4. An objection has been received from Cllr Terence Brown due to the lack of parking provision.
5. 1no. representation has been received citing the following grounds of objection:
 - Residents pay for permits and sometimes are unable to park
 - Increase in parking / parking conditions will be made worse

CONSULTATIONS

6. Lancashire County Council (LCC) Highway Services: Have no objections and recommends that bike and bin stores are provided.
7. CIL Officers: Comment that the development is subject to the CIL Charge for Apartments as listed in Chorley Councils CIL Charging Schedule. Apartments are Charged at £0sqm.

PLANNING CONSIDERATIONS

Principle of development

8. Under Core Strategy policy 1, well located brownfield sites and Chorley Town are identified for the focus for growth and investment. The site is previously developed land, situated within the urban area of Chorley Town and lies just outside of the defined Town Centre boundary.
9. The National Planning Policy Framework (the Framework) is clear that the Government's objective is to significantly boost the supply of homes and that it is important that a sufficient amount and variety of land can come forward where it is needed.
10. At paragraph 68 the Framework recognises that small sites can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly. Local Planning Authorities are advised to support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes.
11. The proposed development is acceptable in principle, in planning policy terms, subject to other considerations as set out in the report below.

Design

12. The application proposes changes to the front of the property involving removal of the shop front and its replacement with two entrance doors and ground floor windows to serve the flats. The scheme has been amended since the application was originally submitted to improve the frontage and to incorporate traditional design features such as cills and lintels which would be more in-keeping with the character of the street scene. In design terms the proposal is considered to be acceptable and would not be harmful to the character and appearance of the areas.

Impact on amenity

13. The application has been amended since it was originally submitted and the proposed scheme has been reduced from 6no. flats to 5no, including changes to the position of windows in order to improve both the living conditions of future occupiers of the development and to safeguard the residential amenity afforded to adjacent neighbours. The proposal is considered to be acceptable in amenity terms.

Highway safety

14. Representations have been received in relation to the proposed development having no parking provision which the objectors consider would make the existing parking problems worse, particularly as residents pay for parking permits. LCC Highways advise that the residents parking scheme in this area is over-subscribed and that these properties would not be eligible to for residents parking permits.

15. The site is, however, situated within on the periphery of the Town Centre, which is a sustainable location with access to a range of amenities and well served by transport options, other than the car. LCC Highways do not raise any objections to the proposed development and advise that they are of the opinion that the proposal would not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.

16. Cycle storage is identified on the submitted plans, with flats having storage areas where cycles could be kept securely. This would support sustainable transport options for future occupiers.

17. The proposal is considered to be acceptable in highways safety terms, having regard to Chorley Local Plan policy BNE1 (d).

Public open space

18. Policy HS4 of the Chorley Local 2012 - 2026 requires public open space contributions for new dwellings to be provided in order to overcome the harm of developments being implemented without facilities being provided.

19. However, the National Planning Practice Guidance (NPPG) post-dates the adoption of the Local Plan and states that planning obligations should not be sought from developments of 10 or less dwellings and which have a maximum combined floorspace of no more than 1000 square metres.

20. In the determination of planning applications, the effect of the national policy, which was issued in 2016 following a Court of Appeal judgement, is that although it would normally be inappropriate to require social infrastructure contributions on sites below the thresholds stated, local circumstances may justify lower (or no) thresholds as an exception to the national policy. It would then be a matter for the decision-maker to decide how much weight to give to lower thresholds justified by local circumstances as compared with the new national policy.

21. The Council must determine what lower thresholds are appropriate based on local circumstances as an exception to national policies and how much weight to give to the benefit of requiring a payment for 10, or fewer, dwellings. The Council has agreed to only seek contributions towards provision for children/young people on developments of 10 dwellings or less.

22. There is currently a surplus of provision in Chorley South East in relation to this standard and the site is within the accessibility catchment (800m) of an area of provision for children/young people. A contribution towards new provision in the ward is therefore not required from this development. However, there are areas of provision for children/young people within the accessibility catchment that are identified as being low quality and/or low value in the Open Space Study (Tatton Recreation Ground Ref. 1330.2). A contribution towards improvements to this site is therefore required from this development. The amount required is £134 per dwelling, which equates to a total of £670.00, and would be secured by way of a legal agreement.

CONCLUSION

23. The proposed development would deliver housing in a sustainable location within the key service centre of Chorley Town which is an area identified for growth and investment. The Framework is clear that significant weight should be afforded to the delivery of housing and that there is a presumption in favour of sustainable development. Although parking provision would not be provided to serve the development, sustainable transport options are available, and services and amenities are situated in close proximity to the site.

24. The application is recommended for approval, subject to conditions and a legal agreement to secure a financial contribution towards improvements to public open space (children/young people provision).

RELEVANT POLICIES: In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Local Plan 2012-2026 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the proposal has had regard to guidance contained within the National Planning Policy Framework (the Framework) and the development plan. The specific policies/ guidance considerations are contained within the body of the report.

RELEVANT HISTORY OF THE SITE

Ref: 5/1/01041 **Decision:** PERFPP **Decision Date:** 4 February 1958
Description: Change of use from motor repair shop and stores to private garages.

Ref: 5/1/01380 **Decision:** PERFPP **Decision Date:** 9 April 1960
Description: Sign

Ref: 77/00226/FUL **Decision:** REFFPP **Decision Date:** 3 May 1977
Description: Change of use of store room to Pool Hall

Ref: 82/00239/FUL **Decision:** PERFPP **Decision Date:** 25 May 1982
Description: Two storey extension to shop for storage purposes

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
Block and Location Plans as Existing	PL 004	15 July 2019
Existing & Proposed Elevations	PL 003 C	14 November 2019
Plans as Proposed	PL 002 C	14 November 2019
Existing & Proposed Rear Elevations	PL 006	14 November 2019
Block & Location Plans as Proposed	PL 005 C	14 November 2019

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

3. The external facing materials, detailed in the application, shall be used and no others substituted unless alternatives are first submitted to and agreed in writing by the Local Planning Authority, when the development shall then be carried out in accordance with the alternatives approved.

Reason: In the interest of the appearance of the development in the streetscene.