

APPLICATION REPORT – 20/00695/FUL

Validation Date: 13 July 2020

Ward: Chorley South East

Type of Application: Full Planning

Proposal: Conversion of public house to 5no. self contained flats and external alterations

Location: The Eagle Hotel, 122 Bolton Street, Chorley, PR7 3DX

Case Officer: Mr Iain Crossland

Applicant: Mr L Giruc, Lucas Property Solutions Limited

Agent: Mr Mike Carr, Mat Design

Consultation expiry: 5 August 2020

Decision due by: 11 September 2020 (extension of time requested)

RECOMMENDATION

1. It is recommended that this application is approved subject to conditions and a S106 Obligation to secure a contribution for the provision of public open space for children and young people.

SITE DESCRIPTION

2. The application site comprises a vacant public house and associated car park located on Bolton Street in a central area of Chorley close to Chorley Town Centre. It is located on a main highway and is a building of traditional character. It is noted that there is residential accommodation on the first floor of the building. The area is characterised by traditional buildings in a typically urban setting comprising a mix of commercial premises, retail outlets and residential accommodation. The building has been vacant for approximately 2 years.

DESCRIPTION OF PROPOSED DEVELOPMENT

3. The application seeks planning permission for the conversion of the public house building to 5no. self-contained flats. Only minor external alterations are proposed comprising the replacement of a door with a window at ground floor in the north side elevation, installation of a door in the south side elevation and installation of a new window at second floor in the rear elevation.

REPRESENTATIONS

4. No representations have been received.

CONSULTATIONS

5. Lancashire County Council Highway Services: Have no objections regarding the proposed conversion.

PLANNING CONSIDERATIONS

Principle of the development

6. The National Planning Policy Framework (The Framework) states that housing applications should be considered in the context of the presumption in favour of sustainable development. This means that development proposals that accord with the development plan should be approved without delay.
7. The Central Lancashire Core Strategy focuses growth in Key Service Centres such as Chorley town, where the application site is located.
8. The site is not allocated for any specific use within the Chorley Local Plan 2012 - 2026 and the Local Plan states that within the settlement areas excluded from the Green Belt, and identified on the Policies Map, there is a presumption in favour of appropriate sustainable development.
9. The proposed development would result in the loss of a public house, which is categorised as a community facility. Policy HW6 of the Chorley Local Plan 2012 - 2026 seeks to protect community facilities where they are serving a local need. No representations have been received in relation to the retention of the public house, and it is noted that there is another public house adjacent to the site that continues to trade, and other drinking establishments and community facilities in close proximity. Although the loss of the public house is in some ways regrettable this reflects a general trend of such closures, with the premises having been made available for rent/sale over a period of more than 12 months. The building has the potential to become a target for vandalism and anti-social behaviour and it is considered that a long term meaningful use of the building would be of benefit to the community. It is, therefore, considered that the loss of the public house as a community facility is acceptable in this instance.

Impact on character and appearance of the locality

10. There would be no external physical alterations to the building other than the replacement of a door with a window at ground floor in the north side elevation, installation of a door in the south side elevation and installation of a new window at second floor in the rear elevation. The way in which the property would be used would have little impact on the character of the area, given the extent of existing residential properties in the vicinity, and the comings and goings from five flats would be less intensive than a public house. The retention and conversion of the building would be a positive outcome as the building is one of character and contributes positively to the street scene.

Impact on neighbour amenity

11. The proposed residential use would introduce habitable room windows to the building at ground floor and first floor, however, none of these would result in any unacceptable overlooking. There are already habitable room windows at first floor that serve the residential use of the building and so there would be no change in relation to existing privacy standards. The application property is located over 30m from the nearest residential dwellings on the opposite side of Bolton Street. The conversion to residential accommodation is likely to have lower levels of noise and disturbance from comings and goings and general noise than the public house. A residential use is a highly compatible use when viewed in the context of adjoining residential uses.
12. In relation to the living conditions of future residents it is noted that the site is located adjacent to a public house to the south and nearby commercial uses such as car garages. The noise and disturbance associated with these types of uses has the potential to result in nuisance to future occupiers, which may result in noise complaints. It is noted, however, that there are other dwellings in close proximity to the site, which already exist within this environment, and demonstrate some level of compatibility. Furthermore, any future occupiers would be aware of the uses surrounding the site and can make informed decisions about occupancy. The accommodation itself would provide an adequate level of internal space, and although the outdoor area would be given over solely to car parking and

bin storage there are public open spaces in close proximity to the site such as Rangletts Recreation Ground to the south west.

Highway safety

13. The site has an existing vehicular access to the public highway and the proposal is to convert the existing public house to 5no. two bedroomed self-contained flats. The parking standards set out by policy ST4 of the Chorley Local Plan 2012-2026 required two off-street car parking spaces for a two bedroomed dwelling and one communal cycle storage space, however, the applicant proposes 5no. of the required total of 10no. parking spaces.
14. It is noted that the highway authority has not objected to the proposed development, and that the application site is in an area of high accessibility in relation to employment, shops, schools, health centres, community facilities etc. In addition, the site is situated close to bus routes with bus stops within short distances, and within walking distance of Chorley town centre. In addition, it is accepted that there is already parking demand generated by the existing public house and that this must be considered in relation to the proposed development.
15. The location is considered to be highly sustainable, such that a relaxation in the car parking standards can be made as per the provisions of policy ST4 of the Chorley Local Plan 2012-2026. In addition, it is noted that LCC Highways have no objection and consider that the proposed development would not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.
16. Given the sustainability credentials of the location and the parking demand already generated by the existing use, the under provision of off street parking is considered acceptable in this instance.

Public open space

17. Policy HS4 of the Chorley Local Plan 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.
18. Until recently the National Planning Practice Guidance (NPPG) previously set out a threshold for tariff-style contributions, stating 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. This guidance has been removed from the latest NPPG and has been replaced with a requirement that planning obligations for affordable housing should only be sought for residential developments that are major developments.
19. Specifically the guidance as of last year was derived from the order of the Court of Appeal dated 13 May 2016, which gave legal effect to the policy set out in the Written Ministerial Statement of 28 November 2014 which has not been withdrawn and which should, therefore, clearly still be taken into account as a material consideration in the assessment of planning applications
20. To this end whilst it would normally be inappropriate to require any affordable housing or 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.
21. Consequently, 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 (site 1330.1 Tatton Recreation Ground Play Area). A contribution towards improvements to these sites is therefore required from this development. The amount required is £134 per dwelling.

Community Infrastructure Levy

23. 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

24. There would be no unacceptable detrimental impact on the appearance and character of the area or the amenity of neighbouring occupiers as a result of the proposed development. In addition the retention of the public house as a community facility cannot be justified. The development is located in a sustainable location and would not have an unacceptable impact on highway safety. On the basis of the above, it is recommended that planning permission be granted.

RELEVANT HISTORY OF THE SITE

Ref: 07/01023/FUL **Decision:** PERFPP **Decision Date:** 29 November 2007
Description: Proposed smoking shelter and decking area (Retrospective)

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

To follow