

## **APPLICATION REPORT – 20/01330/FUL**

**Validation Date: 9 December 2020**

**Ward: Chorley South East**

**Type of Application: Full Planning**

**Proposal: Conversion of existing residential care home (Use Class C2) to four apartments (Use Class C3)**

**Location: The Old Mill House 99 Pall Mall Chorley PR7 3LT**

**Case Officer: Mike Halsall**

**Applicant: Mr Mark Day, Dalesview Partnership Ltd**

**Agent: Barbara Hartley, Garsdale Design Ltd**

**Consultation expiry: 8 January 2021**

**Decision due by: 5 March 2021 (Extension of time agreed)**

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### **RECOMMENDATION**

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

### **SITE DESCRIPTION**

2. The application relates to The Old Mill House, 99 Pall Mall, located to the south of Chorley town centre. The supporting documentation explains that the building is a two storey 19th century house with a basement built around 1852 as part of the Moor Mill premises of Rice & Hall which then made cotton muslin cloth. The mill was demolished between 1930 and 1940.
3. The Mill site was subsequently redeveloped for housing, while the row of terraced houses to the immediate south of the Old Mill House was cleared and used as a car park.
4. The building is currently used by Dalesview Partnership Ltd as an assisted living residence for six adults who need significant care but in the light of current standards is now unsuitable for continued use as a care home.

### **DESCRIPTION OF PROPOSED DEVELOPMENT**

5. The application seeks planning permission for the conversion of the building to create four self-contained apartments, including changes to door and window openings. The apartments would consist of the following:
  - Flat 1 – A two bedroom apartment, split over the basement and ground floor levels
  - Flat 2 – A two bedroom apartment at ground floor level
  - Flat 3 – A one bedroom apartment at first floor level
  - Flat 4 - A two bedroom apartment at first floor level

## REPRESENTATIONS

6. No representations have been received.

## CONSULTATIONS

7. Lancashire County Council Highway Services (LCC Highways): Have responded to identify that the proposed development would deliver fewer off-road parking spaces than required by the Council's parking standards. They comment that the site is however in a sustainable location and well served by public transport, and with the availability of public car parking provisions, it is not considered there would be adverse impacts on highway safety and residential/business amenities in the area due to the deficit in the applicant's off-street parking provision, therefore, the proposal is acceptable from highway perspective subject to the applicant providing a secure and covered cycle storage on site to accommodate a total of 7 cycles, i.e. a cycle per each bedroom.

## PLANNING CONSIDERATIONS

### Principle of the development

8. The application site is located in the core settlement area of Chorley and is close to the town centre. The Central Lancashire Core Strategy policy 1 is concerned with locating growth and identifies Chorley Town as a Key Service Centre under criterion (b), where growth and investment should be concentrated.
9. Under policy V2 of the Chorley Local Plan 2012 - 2026 there is a presumption in favour of appropriate sustainable development within the settlement boundary, subject to material planning considerations and other policies and proposals.

### Design and impact on amenity

10. Policy BNE1 of the Chorley Local Plan 2012 – 2026 states that planning permission will be granted for new development, including extensions, conversions and free-standing structures, provided that (amongst other things):
  - a) *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.*
  - b) *The development would not cause harm to any neighbouring property by virtue of overlooking, overshadowing or overbearing.*
11. The proposed development involves minimal changes to the design and appearance of the building with only changes to window and door openings proposed as well as repairs to the render to the exterior walls. A planning condition is recommended to ensure that the new windows and doors match the existing in terms of materials and appearance.
12. Some of the proposed habitable room windows in the north east facing elevation would directly face the blank side gable wall of no.97A Pall Mall, at a distance of 9m, and others would look over its rear garden. The existing building however has the same relationship with the neighbouring property and so it is not considered in this instance that the proposed conversion would create any additional impacts upon residential amenity. All other windows respect the Council's interface distances and are considered to be acceptable.
13. In light of the above, the proposal is considered to be appropriate in terms of the requirements of policy BNE1 of the Chorley Local Plan 2012 – 2026.

### Public open space (POS)

14. 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.

15. 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.
16. Specifically, the guidance 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.
17. 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.
18. 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.
19. There is, however, currently a surplus of provision in Chorley South East in relation to this standard, a contribution towards new provision in the ward is therefore not required from this development. The site is also not within the accessibility catchment (800m) of any areas of provision for children/young people that are identified as being low quality and/or low value in the Open Space Study. A contribution towards improvements is therefore also not required from this development.

#### Highway safety

20. The existing site is fronted by Pall Mall, but accessed at the rear from Duke Street via an unadopted private access road, not shown on the submitted plans as forming part of the applicant's boundary, but to which the applicant stated they have right of access.
21. The proposed conversion requires 7no. car parking spaces to be provided in order to accord with the Chorley Council Parking Standard set out as part of policy ST4 of the Chorley Local Plan 2012 - 2026, but the applicant proposes two spaces. There are 10no. and 16no. space capacity car parks to the rear and side respectively of the application site, however, while the 10no. space car park is private and not shown on plan as forming part of the applicant's boundary, the 16no. space car park is a Local Authority limited stay car park where the general public is allowed a maximum stay of 2 hours between 10am and 4pm, Mondays to Saturdays. In addition, there are limited on-street waiting provisions near the site on Pall Mall that allows 30 minutes waiting without having to return within an hour, from 10am and 4pm, Mondays to Saturdays.
22. Policy ST4 allows for a lower level of provision for sustainable locations such as the application site and the provision of covered cycle parking would encourage such sustainable forms of transport to be used by future occupiers of the apartments. LCC highways have raised no objection to the proposal. As such, it is considered that the proposal complies with policy ST4 of the Chorley Local Plan 2012 – 2026.

#### 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. The application proposes a sustainable form of development, and is accordingly recommended for approval, subject to conditions.

## RELEVANT HISTORY OF THE SITE

- Ref:** 5/1/02095      **Decision:** PERFPP      **Decision Date:** 7 August 1963  
**Description:** Conversion of part of first floor of dwellinghouse to form self contained flat
- Ref:** 76/00415/FUL      **Decision:** REFFPP      **Decision Date:** 3 August 1976  
**Description:** Change of use of part of ground floor to retail sales of motorcycles, spares and accessories
- Ref:** 87/00472/FUL      **Decision:** REFFPP      **Decision Date:** 14 July 1987  
**Description:** Change of use of dwelling to retail diy and gardening shop
- Ref:** 87/00775/FUL      **Decision:** REFFPP      **Decision Date:** 12 January 1988  
**Description:** Change of use to rest home for 12 persons
- Ref:** 87/00877/FUL      **Decision:** PERFPP      **Decision Date:** 12 January 1988  
**Description:** Change of use to probation offices with day care centre
- Ref:** 88/00611/COU      **Decision:** PERFPP      **Decision Date:** 6 September 1988  
**Description:** Change of use to residential home for handicapped persons

**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 Plan	1923_PA_05 Rev 0	17 February 2021
Proposed Site Plan	1923_PA_04 Rev 0	9 December 2020
Proposed Conversion	1923_PA_03 Rev 0	9 December 2020

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

3. All external facing materials of the development hereby permitted shall match in colour, form and texture to those on the existing building 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 interests of the visual amenity of the area in general and the existing building in particular.*

4. No development shall commence until details of secure and covered cycle storage have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The details shall accord with the Chorley Council Parking Standard. The scheme shall be implemented in accordance with the approved details before the first occupation/use of the development. The facilities shall be retained at all times thereafter.

*Reason: To encourage sustainable transport modes.*