

APPLICATION REPORT – 22/00285/FUL

Validation Date: 22 March 2022

Ward: Coppull

Type of Application: Full Planning

Proposal: Conversion of existing vacant building from a shop and a solarium at ground floor level and 1no. 3 bed flat above, into 4no. 1 bed self-contained residential flats (Use Class C3) with associated works including partial demolition of single storey rear outriggers and external alterations

Location: 10-12 Spendmore Lane Coppull Chorley PR7 4NZ

Case Officer: Johndaniel Jaques

Authorising Officer:

Applicant: Mr Colin Gregory

Agent: Mr Andrew Darbyshire

Consultation expiry: 16 May 2022

Decision due by: 30 June (Extension of time agreed)

RECOMMENDATION

1. That permission is granted subject to conditions and a S106 legal agreement relating to a commuted sum of £536 towards improvements to identified sites that are low quality and/or low value within the accessibility catchment area.

SITE DESCRIPTION

2. The site comprises two terraced properties that are vacant but comprised a shop and solarium at ground floor and one 3 bed flat to the first floor above both shops, as well as their curtilage. As the premises are vacant, they are beginning to have a slightly tired appearance primarily as a result of part of the brickwork being painted and remnants of shop signage being evident.
3. To the rear of the main 2 storey element of the properties are single storey extensions used mainly for storage, one of which abuts the boundary with 14 Spendmore Lane. The site lies within the settlement of Coppull, as defined by the Chorley Local Plan Policies Map and the area around the site is predominantly residential in character although there are also some commercial properties.

DESCRIPTION OF PROPOSED DEVELOPMENT

4. The proposal is for the conversion of the existing vacant buildings into 4no. 1 bed self-contained residential flats (Use Class C3) with associated works including partial demolition of single storey rear outriggers and external alterations. The demolition would be of part of one outrigger to the rear of no. 10 and some of the walls and the roof of part of the outrigger

at no.12. The main pedestrian access to the proposed flats would be from the front of the properties. Communal cycle parking and bin storage would be provided within the rear yard.

RELEVANT HISTORY OF THE SITE

Ref: 19/00692/FUL **Decision:** APPRET **Decision Date:**
Description: Change of use to Micro Bar

Ref: 19/01033/FUL **Decision:** REFFPP **Decision Date:** 20 December 2019
Description: Proposed change of use from hairdressers (Use class A1) to micro bar (Use class A4)

Ref: 82/00535/FUL **Decision:** PERFPP **Decision Date:** 14 September 1982
Description: Alterations to front elevation

Ref: 77/01069/OUT **Decision:** REFOPP **Decision Date:** 14 February 1978
Description: Outline application for pair of semi-detached dwellings with garages

Ref: 78/00258/OUT **Decision:** REFOPP **Decision Date:** 2 May 1978
Description: Outline application for pair of semi-detached dwellings

REPRESENTATIONS

5. No representations have been received.

CONSULTATIONS

6. Coppull Parish Council – Neither objects nor supports the proposal. The Parish Council clarify that they have no objections to the conversion but raise an issue with parking because 4 no. 1 be flats require 4 parking spaces which are not provided.
7. CIL Officers – The proposal would be CIL liable and chargeable.
8. Greater Manchester Ecology Unit – No objections.
9. Lancashire Highway Services – No objections.
10. Regulatory Services - Environmental Health – No comments received.
11. Waste & Contaminated Land – No objections

PLANNING CONSIDERATIONS

Principle of development

12. At paragraph 60 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.
13. At paragraph 69 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.
14. Policy V2 (Settlement Areas) of the Chorley Local Plan 2012-2026 provides 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, subject to material considerations and the other Policies and Proposals within the Plan.

15. Policy 1 of the Central Lancashire Core Strategy identifies Coppull as an Urban Local Service Centre where some growth and investment will be encouraged to help meet housing and employment needs.
16. The site is situated within the defined boundary of Coppull and is in a sustainable location, with access to amenities, services and transport and policy is supportive of housing in such areas.
17. The principle of development is acceptable in planning policy terms, subject to other considerations as set out in the report.

Impact on the character and appearance of the area

18. Policy BNE1 (Design Criteria for New Development) 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 where relevant to the development the proposal would 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.
19. The conversion of the existing properties into four flats would be likely to improve the streetscene as a result of the properties being brought back into use and also being rendered (apart from the gable end) which would improve their current slightly tired appearance. The alterations to openings at the front of the premises would provide a more coherent and balanced appearance to the frontage. Therefore, it is considered that the proposal would improve the character and appearance of the site and the wider 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. The first floor of the building already has a residential use and as a result there would be no greater impacts over and above the existing situation in terms of overlooking or loss of privacy.
22. It is not considered that the provision of four flats would be likely to be a more intensive use than given the lawful uses as a shop and solarium which would have more comings and goings and associated activity; and is a more compatible form of development with the neighbouring domestic dwellings and unlikely to cause adverse impacts of noise and disturbance.
23. The rear yard would be available for use as an outdoor private amenity space for future occupiers to carry out day-to-day domestic activities and Yarrow Valley Park is within close proximity for recreational access.
24. The proposals are considered to be acceptable in design terms and accord with policy BNE1 of the Chorley Local Plan 2012-2026.

Impact on Highway safety

25. Policy BNE1 (d) of the Chorley Local Plan 2012-2026 sets out that 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 stated standards unless there are other material considerations which justify the reduction.

26. The proposal does not seek to provide any on site parking provision given the constraints of the site, however, Lancashire County Council Highways have assessed the application and have raised no objection and advise that the proposal would not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.
27. Given that the site lies in a sustainable location, LCC Highways advise that the proposal would be acceptable subject to it providing secured and covered cycle storage to accommodate a bicycle for each of the flats in order to support social inclusion and promote sustainable forms of transport. Details of the cycle storage would be secured by way of a planning condition.
28. Having regard to the above, it is not considered that the proposal would be detrimental to highway safety and, therefore, accords with policy BNE1 of the Chorley Local Plan 2012-2026 in respect of highway safety considerations.

Impact on ecological interests

29. 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. In addition, the policy states that development must adhere to the provisions which includes: Where there is reason to suspect that there may be protected habitats/species on or close to a proposed development site, the developer will be expected to carry out all necessary surveys in the first instance; planning applications must then be accompanied by a survey assessing the presence of such habitats/species and, where appropriate, make provision for their needs.
19. The application has been reviewed by the Council's ecology advisors at Greater Manchester Ecology Unit (GMEU) who raise no objections. However, they advise that works could affect nesting birds so this is to be dealt with by an appropriately worded condition to prevent works from being carried out in nesting season.
20. Having regard to the above and the advice obtained from GMEU it is not considered that the proposed development would be detrimental to nature conservation interests and accords with policy BNE9 of the Chorley Local Plan.

Public open space

30. 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.
31. 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.
32. 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.
33. 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.

34. 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.
35. There are open space sites for children/young people within the accessibility catchment of sites that are identified as being low quality and/or low value in the Open Space Study, and as such a contribution towards improvements to sites ref 1363.1 Play area adjacent 105 Longfield Avenue, Coppull and site ref 1369.1 Hurst Brook Play Area, Coppull is required from this development. The amount required is £134 per dwelling. Therefore, a financial contribution of £536 towards improvements to these sites is required from this development, which is to be secured by way of a S.106 legal agreement

CIL

36. 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, however, apartments are currently charged at £0.

Coal risk

37. Although the site lies in the High Risk Coal Referral Area, it is not considered that the proposal would be likely to be affected by this given the nature of the application which involves conversion of the properties into flats as well as some limited demolition. Notwithstanding this, an informative is recommended to make the applicant aware of it.

CONCLUSION

38. The application proposes a sustainable form of development within the settlement of Coppull. The proposal is acceptable in design terms and would not adversely affect residential amenity, nor would it be detrimental to highways safety. The application accords with the relevant policies of the Development Plan and is recommended for approval, subject to conditions and a S106 legal agreement relating to a commuted sum of £536 towards improvements to identified sites that are low quality and/or low value.

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 and Block Plan	22-094-PL01-A	27 April 2022
Proposed Floorplans	22-094-PL04-A	3 May 2022
Proposed Elevations	22-094-PL05-A	11 May 2022

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. Before the development hereby permitted is first occupied, a scheme for provision of cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The cycle storage shall be installed and made available for use prior to the first occupation of the development and shall be retained thereafter.

Reason: To ensure that cycle storage is provided to encourage the use of a sustainable means of transport.

5. No 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).