

## **APPLICATION REPORT – 24/00074/LBC**

**Validation Date: 1 February 2024**

**Ward: Chorley North West**

**Type of Application: Listed Building**

**Proposal: Application for listed building consent to change of use of the existing mixed office/ residential to use class C4 (houses in multiple occupation) and internal alterations**

**Location: 28 St Georges Street Chorley PR7 2AA**

**Case Officer: Daniel Power**

**Applicant: Mr Tom Garnett**

**Agent: Mr David Perry**

**Consultation expiry: 1 March 2024**

**Decision due by: 28 June 2024**

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### **RECOMMENDATION**

1. It is recommended that Listed Building consent be granted subject to the recommended conditions.

### **SITE DESCRIPTION**

2. The application site is located within the settlement boundary of Chorley on the southern side of St Georges Street. The existing property is a two storey mid 19<sup>th</sup> century townhouse, constructed from brick in Flemish bond on a stone plinth with a moulded stone doorcase with straight cornice on scrolled brackets, a solid timber door. The property is Grade II listed and located within the St Georges Conservation Area.

### **DESCRIPTION OF PROPOSED DEVELOPMENT**

3. The application seeks listed building consent for the works to enable the change of use of the property to a house in multi occupation (HMO). The works relating to the removal of existing and installation of stud walling, including the subdivision of existing rooms at the first floor. The removal of a modern additions including an air conditioning unit.

### **REPRESENTATIONS**

4. One letter of objection has been received and can be summarised as follows:
  - The passage of sound and the affects the development would have to the neighbouring business whose trade heavily relies on evening and late night trading. I late night music licence is also in place.
  - The proposed development if granted most definitely would risk employment and businesses in the surrounding area.

## CONSULTATIONS

5. Growth Lancashire  
No objections in principle, the comments are outline within the report.
6. Parish Council  
No comments have been received

## 7. PLANNING CONSIDERATIONS

### Listed Building

8. The application seeks listed building consent for the works to enable the change of use of the property to a (HMO). The existing building is a Grade II listed building and is a mid C19 listed townhouse in Chorley town centre. 2 storey brick in Flemish bond on a stone plinth with a moulded stone doorcase with straight cornice on scrolled brackets and a solid timber door.
9. The principle statutory duty under the Planning (Listed Building and Conservation Areas) Act 1990 (as amended by s.58B (1) of Levelling-up and Regeneration Act 2023) is to preserve or enhance the special character of heritage assets, including their setting. LPAs should, in coming to decisions, consider the principal Act which states the following;  
  
Listed buildings - Section 16 (2)
10. In considering whether to grant listed building consent for any works the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.  
  
Listed buildings - Section 66 (1)
11. In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
12. Paragraph 203 of the NPPF states in determining planning applications LPAs should take account of;
  - a. The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - b. The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
  - c. The desirability of new development making a positive contribution to local character and distinctiveness.
13. Paragraph 205 states that when considering the impact of proposals on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be applied. This is irrespective of whether any harm is identified as being substantial, total loss or less than substantial harm to its significance.
14. Paragraph 206 any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
15. Paragraph 208 identifies that where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

16. The councils Design and Conversation officer considered the application and highlights the property's significance is based largely on its historic, aesthetic and group values, primarily evidenced through the building's fabric/materials, architectural form and design and its group value within the terrace and surrounding listed properties as a whole. The officer comments that they have no objections in principle to the change of use to a HMO, as by bringing the building into active use this is the best way of helping to sustain the significance of listed building. With regards to internal alterations, the officer commented that they were mindful that the previous use was as offices and the first floor has been opened up into one large office space and therefore the internal significance of the building is low. In addition, the external alterations are minimal, removing some modern additions such as the air conditioning unit. Amended plans have been submitted removing previous reference to solar panels and alteration to the existing windows. Given the extent of modern plaster boarding across all floors within the building and the limited external changes it is considered the proposal 'preserves' the significance of the Listed Building.

## **CONCLUSION**

17. As is required by the duty imposed by s.16(2) of the Planning (LBCA) Act 1990 considerable weight in the assessment of the proposal. NPPF Paragraph 199 states that great weight should be given to the conservation of heritage assets regardless of the level of harm.
18. It is considered that the works meet the statutory test 'to preserve' the significance of the Listed Building. Therefore, the Local Planning Authority is not required to undertake any balancing exercise as per paragraph 202 of the Framework.
19. Consequently, it is considered that the works meet the principal duty of the Act, the objectives of Chapter 16 of The Framework, policy 16 of the Central Lancashire Core Strategy and policy BNE8 Chorley Local Plan 2012-2026. The application is, therefore, recommended for approval, subject to conditions.

## **RELEVANT HISTORY OF THE SITE**

**Ref:** 10/00754/LBC **Decision:** PERLBC **Decision Date:** 25 October 2010  
**Description:** Application for listed building consent for internal alterations.

**Ref:** 5/1/02103 **Decision:** PERFPP **Decision Date:** 9 September 1963  
**Description:** Conversion of premises from dwellinghouse to flat and/or office

**Ref:** 5/1/02717 **Decision:** PERFPP **Decision Date:** 6 October 1966  
**Description:** Alteration to form first floor office accommodation

**Ref:** 5/1/02163 **Decision:** PERFPP **Decision Date:** 7 January 1964  
**Description:** Change of use from house to offices and flat

**Ref:** 24/00073/FUL **Decision:** PDE **Decision Date:**  
**Description:** Change of use of the existing mixed office/ residential use to use class C4 (houses in multiple occupation)

**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 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.*

2. The development hereby permitted shall be carried out in accordance with the approved plans below:

Title	Plan Ref	Received On
Location Plan	23108/100	1 February 2024
Proposed floor plans and elevations	23108/102B	3 July 2024

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