

## **APPLICATION REPORT – 24/01031/FUL**

**Validation Date: 2 December 2024**

**Ward: Chorley North West**

**Type of Application: Full Planning**

**Proposal: Change of use of nos. 61 to 63 St Thomas Road from offices (Use Class E) to a 15no. bedroom house in multiple occupation (HMO) along with the provision of secure cycle storage, bin storage and erection of boundary fencing**

**Location: Age UK Lancashire 61 - 63 St Thomas Road Chorley PR7 1JE**

**Case Officer: Chris Smith**

**Applicant: Rolldean Estates Limited**

**Agent: Astonwood Architectural Design**

**Consultation expiry: 31 December 2024**

**Decision due by: 14 February 2025 (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 site is located within the settlement area of Chorley as defined by the Chorley Local Plan 2012-2026 on the southern side of the A581 St Thomas's Road approximately 170m to the west of the Chorley town centre boundary. The site is a vacant two-storey end terrace property with a basement. Its last use was as offices, which remains the lawful use of the building. The immediate locality is a densely built-up urban area characterised by a variety of uses including commercial premises along both sides of St Thomas's Road and residential properties to the south at Bank Street and Ashfield Road. The site is also located within an area designated as a 'Locally Important Area' under Policy BNE8 of the Council's Local Plan 2012-2026.
3. Planning permission was granted in March 2024, ref. 24/00036/FUL, for the change of use of the building from offices (Use Class E) to supported living / care home (Use Class C2), including erection of a timber fence to the side of the property and new cycle parking and bin storage areas. It is not considered that this use has been implemented.

### **DESCRIPTION OF PROPOSED DEVELOPMENT**

4. The application seeks planning permission for the change of use of nos. 61 to 63 St Thomas Road from offices (Use Class E) to a 15no. bedroom house in multiple occupation (HMO) along with the provision of secure cycle storage, a bin store and the erection of boundary fencing.
5. It should be noted that the proposed development has been amended since first being received by the Council. The original scheme involved the removal of 2no. trees located along the boundary of the site. However, on being notified that the development would be

subject to mandatory biodiversity net gain if the trees were to be removed, the applicant's agent submitted an amended site plan to show that the trees would be retained.

## REPRESENTATIONS

6. Three representations have been received citing the following grounds of objection to the proposed development –
  - Development will change the character of the area
  - Noise and nuisance
  - Parking
  - Crime, disorder and anti-social behaviour
  - Overdevelopment
  - Development would not be in keeping with the area

## CONSULTATIONS

7. Chorley Council's Environmental Health Officer – Have stated that they have no objection in principle to the proposed development, however, they would signpost the applicant to information contained on the Council's website regarding HMO licenses as this will be a requirement should the planning application be approved.
8. Lancashire Highway Services (LCC Highways) – Have stated that they do not have any objections to the proposed development and are of the opinion that it would not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.

## PLANNING CONSIDERATIONS

### Principle of the development

9. The application site is located in the core settlement area of Chorley. Policy V2 of the Chorley Local Plan 2012 - 2026 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.
10. The site is also an employment premises as it has been used as offices. The adopted Core Strategy sets the overall employment requirement for Chorley as 112 ha to 2026. Table 2 within Chapter 6 of the Local Plan provides an employment land supply in Chorley for the period 2010 – 2026 as 100.61ha. This figure does not take into account vacant stock in the Borough.
11. The proposed use of the building would result in the loss of approximately 685 square metres of employment use. Given that this is a very small loss, it is not considered that the proposed development would result in an unacceptable reduction in the type, quality or quantity of employment land supply.
12. Policy 10 of the Central Lancashire Core Strategy states that all existing employment premises and sites last used for employment will be protected for employment use. There will be a presumption that 'Best Urban' and 'Good Urban' sites will be retained for B use class employment use. Proposals on all employment sites/premises for re-use or redevelopment other than B use class employment uses will be assessed under the following criteria:
  - (a) There would not be an unacceptable reduction on the type, quality or quantity of employment land supply:**
13. It is not considered that the loss of such a small area of office floorspace would result in an unacceptable reduction in the type, quality or quantity of employment land supply in the borough. There remains an ample choice of employment land offering various sizes, types and tenures.

**(b) The provision and need for the proposed use:**

14. It is also considered that there would be social and economic benefits through the provision of 15no. new dwelling units, which is in accordance with the aims of the Framework. Paragraph 60 of the Framework states that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed. Further, the Council cannot demonstrate an adequate supply of housing and the shortfall is significant.

**(c) The relative suitability of the site for employment and for the alternative use:**

15. The application site is an end terrace property which has been used for offices for a considerable period of time although it is noted that planning application ref: 75/00229/FUL was refused by the Council on the basis that the proposal would result in an undesirable loss of residential accommodation. Whilst the application was subsequently allowed following an appeal, what the application does demonstrate is that historically the site has been used for residential purposes prior to its conversion to offices. It is considered, therefore, that the site would be suitable for the proposed residential use which would also be in keeping with the residential character of the immediate locality.

**(d) The location of the site and its relationship to other uses:**

16. The use would not have any impact on other uses within the area. It is considered that it would complement the other uses.

**(e) Whether the ability to accommodate smaller scale requirements would be compromised;**

17. The application site currently provides a small amount of office floorspace and therefore its loss would compromise smaller scale requirements to some extent. The impact would, however, be limited and the ability to re-use the building for employment uses in future would not be compromised as the building would require very little alteration to accommodate the proposed use.

**(f) There would be a net improvement in amenity:**

18. It is not considered that the proposed development would represent a more intensive use of the site than the current lawful use of the site as offices, and, therefore, it is not considered that the proposed development would have a significantly greater or more adverse impact on neighbouring amenity than the previous use of the site. Furthermore, it is considered that there would be a net improvement in amenity, particularly during daytime hours, on the basis that the proposed use would generate less vehicular traffic and fewer comings and goings during these hours than the previous office use.
19. Whilst it is acknowledged that there would be some loss of employment space as a result of the proposal, an ample choice of employment land would remain in the immediate locality including a large office building not far away from the site at no. 10 Ashfield Road. Given that the application site is a small-office premises, its loss would be limited and the ability to use the building for employment uses in the future would not be compromised. The loss of this site as an employment site was considered to be acceptable by the Council last year by virtue of planning permission ref. 24/00036/FUL. The Council cannot demonstrate an adequate supply of housing and the shortfall is significant and the proposed change of use would lessen this shortfall. It is considered, therefore, that the development is in compliance with policy 10 of the Central Lancashire Core Strategy.

Design and impact on the character of the area

20. 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:

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.

21. No external alterations to the existing building would be required in order to facilitate the proposed development. However, the scheme involves the erection of an approximately 1.8m high timber fence along the western site boundary facing towards Ashfield Road and part of the front (northern) boundary facing towards St Thomas's Road, in order to facilitate the provision of an outside communal amenity area for residents of the development. It is considered that the style and design of the fencing would be suitably domestic and that it would not, therefore, appear out of place given the predominantly residential characteristics of Ashfield Road to the west of the site. Although it would be built along part of the front site boundary facing towards St Thomas's Road which is mainly characterised by properties with open frontages, the fence would occupy a small section of the boundary thus maintaining an active street frontage that would be in keeping with the character of the immediate locality. The communal amenity area, bin store and a secure cycle store to be located to the side (west) of the building would be screened by the approximately 1.8m high timber panel fence.
22. On the basis of the above the proposed development would not be harmful to the character of the area, thereby complying with Chorley Local Plan policy BNE1.

#### Impact on the amenity of neighbouring occupiers

23. 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:

b) the development would not cause harm to any neighbouring property by virtue of overlooking, overshadowing or by creating overbearing impacts.

24. The immediate locality contains a mix of uses including several commercial properties on either side of the site along St Thomas's Road and residential properties to the south west at Ashfield Road. However, it is considered that the previous use of the site as offices would have generated frequent comings and goings which would have resulted in a degree of adverse impact on neighbouring amenity and the proposed development would introduce a less intensive and more low-key use which would be more in keeping with the predominantly residential characteristics of the immediate locality. Whilst the introduction of an outdoor communal amenity area would generate a degree of noise and disruption, it is considered that this would be comparable to and not significantly greater than the levels of noise and disruption generated by existing residential gardens in the area.
25. The proposed development would not involve the insertion of any additional windows, and, therefore, it is not considered that any impacts on neighbouring amenity as a result of privacy loss would be notably greater or more adverse than the previous use as offices. It is also noted that the site has been previously used for residential occupation as demonstrated by planning application ref: 75/00229/FUL.
26. Having regard to the above, the proposal is considered to accord with Chorley Local Plan policy BNE1 b) in respect of amenity.

#### Parking and highway safety

27. Policy BNE1 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:

d) 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 the standards stated in Site Allocations Policy – Parking Standards, unless there are other material considerations which justify the reduction.

28. Policy ST4 of the Chorley Local Plan 2012-2026 requires that proposals for development need to make parking provision in accordance with the standards set out in Appendix A of the Local Plan. Appendix A identifies the Council's minimum parking standards for residential (Use Class C3) in all other areas outside Chorley Town Centre as being 1 space per bedroom. However, the policy does provide some flexibility in the parking standards and locations that are considered to be more sustainable and well served by public transport may be considered appropriate for lower levels of provision.
29. LCC Highways have stated that they do not have any objections to the proposed development and are of the opinion that it would not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site. Whilst the proposed development would involve the provision of 8no. off road car parking spaces at the rear of the site which is below the car parking standards as per the provisions of Policy ST4 of the Chorley Local Plan 2012-2026, LCC Highways stated that as the site is located within a sustainable location, no off street parking would be required. Indeed, the site is located approximately 170m to the west of the town centre boundary and it is, therefore, within walking distance of a wide range of shops, services, amenities, and public transportation links which are typically found within a town centre including a bus station and a railway station. Furthermore, it is not anticipated that there would be a material change in the amount of traffic in the vicinity of the site as a result of the development or that the proposed development would attract a greater number of vehicles than the previous use of the building as offices. Consequently, it is considered 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.
30. Whilst it is acknowledged that there is limited off-street car parking availability within the immediate area, the building is positioned within a sustainable location and it is not therefore considered that the proposed development would prejudice highway or pedestrian safety.

#### Impact on a locally important area

31. The site is located within an area that is designated as a 'Locally Important Area'. Paragraph 7.32 of the Local Plan states that "not all of Chorley's heritage is nationally designated and it is important that we recognise the value of our 'local' historic environment in planning for the future" and paragraph 7.34 states that "there may be areas that are considered to be historically significant on a more local level, in effect being 'Locally Important Areas'. These include, for example, areas of lower density housing where the character and distinctiveness of the houses and private residential gardens is worthy of extra protection from development pressures".
32. As mentioned earlier in the report, no external alterations are required in order to facilitate the proposed change of use, and the resultant building would not have a significantly greater or more adverse impact on the character of the immediate locality including the 'Locally Important Area' than the existing building. The proposed boundary treatments would not appear out of place within the residential context of the immediate locality and it is not considered that they would have an adverse visual impact on the 'Locally Important Area'.

#### Trees

33. The site plan submitted with the application shows that two mature trees located to the side (west) of the property are to be retained. In comments relating to planning permission ref: 24/00036/FUL, the Council's Tree Officer stated that one of the trees is a mature beech and is a good specimen and its removal would have a significant negative impact on public visual amenity. These comments are still considered to be relevant and, therefore, the retention of the trees, and their protection during construction is to be secured by a planning condition.

#### Community Infrastructure Levy

34. 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.

#### Other matters

35. With regards to mandatory Biodiversity Net Gain (BNG), it is noted that the application form submitted with the planning application states that the development is exempt from the requirement to provide BNG on the basis that it complies with the de-minimis exemption. Whilst the proposed development would involve the erection of a boundary fence, cycle store and a bin store, these structures would be built on an area of existing hardstanding which is a sealed surface assigned a zero score in the statutory biodiversity metric and, therefore, exempted from the 10% net gain requirement.

#### **CONCLUSION**

36. The proposed development is acceptable in principle and would not result in an unacceptable loss of employment land, any significant harm to the character and appearance of the existing site or the surrounding area, nor would it cause any significant harm to the amenity of neighbouring residents, highway safety or the locally important area. It is, therefore, considered that the development accords with policy 10 of the Central Lancashire Core Strategy 2012 and policies V2 and BNE1 of the Chorley Local Plan 2012 – 2026, subject to conditions.

#### **RELEVANT HISTORY OF THE SITE**

**Ref:** 77/00395/FUL **Decision:** PERFPP **Decision Date:** 2 August 1977  
**Description:** Change of use of house to offices

**Ref:** 87/00228/FUL **Decision:** PERFPP **Decision Date:** 15 June 1987  
**Description:** Change of use of private dwelling to offices provision of rear parking and modification of rear vehicular access

**Ref:** 04/00193/INV **Decision:** PCO **Decision Date:**  
**Description:** Formation of ramp/handrail access,

**Ref:** 04/00893/FUL **Decision:** PERFPP **Decision Date:** 1 October 2004  
**Description:** Formation of ramp/handrail access,

**Ref:** 05/00012/ADV **Decision:** PERADV **Decision Date:** 24 February 2005  
**Description:** One illuminated projecting sign between 61/63 at first floor level, one to go to the side of front door at No 63 and one to go on the side wall on Ashfield Road,

**Ref:** 09/00746/ADV **Decision:** PERADV **Decision Date:** 20 November 2009  
**Description:** Provision of non-illuminated projecting sign

**Ref:** 5/1/00246 **Decision:** PERFPP **Decision Date:** 28 April 1950  
**Description:** Conversion of dwellinghouse into two flats.

**Ref:** 24/00036/FUL **Decision:** PERFPP **Decision Date:** 11 March 2024  
**Description:** Change of use from offices (Use Class E) to supported living / care home (Use Class C2), including erection of a timber fence to the side of the property and new cycle parking and bin storage areas.

**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 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.*

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

Title	Plan Ref	Received On
Location Plan	Rolldeen/01	2 December 2024
Block Plan	Rolldeen/02	2 December 2024
Proposed Floorplans	Rolldeen/07	2 December 2024
Boundary Fence Details	Rolldeen/10	2 December 2024
Proposed Elevations	Rolldeen/08	2 December 2024
Existing and Proposed Basement Floorplans	Rolldeen/09	2 December 2024
Proposed Site Plan	Rolldeen/06 A	22 January 2025

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

4. A scheme for the landscaping of the development shall be submitted prior to the commencement of the development. These details shall include all existing trees and hedgerows on the land; detailing any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform, proposed finished levels, means of enclosure, minor artefacts and structures.

All hard and soft landscape works shall be carried out in accordance with the approved details within the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

*Reason: To ensure that a satisfactory landscaping scheme for the development is carried out to mitigate the impact of the development and secure a high quality design.*

5. The cycle storage facilities identified on approved drawing ref. 'Rolldeen/06 Rev A', received on 22nd January 2025, shall be installed and ready for use before the use of the premises hereby permitted becomes operative and permanently maintained thereafter.

*Reason: To allow for the effective use of the parking areas the promotion of sustainable forms of transport and aid social inclusion.*

6. The trees identified on approved drawing ref. Rolldeen/06 Rev: A, received on 22nd January 2025, shall be retained and during the construction period, all trees to be retained shall be

protected in accordance with British Standard BS 5837:2012 or any subsequent amendment to the British Standards.

*Reason: To safeguard the trees to be retained.*

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