

Item 4a **12/00910/FUL**

Case Officer **Iain Crossland**

Ward **Chorley East**

Proposal **Conversion of existing shop with accommodation above (Class A1) to 4 no. Studio Apartments (Class C3), to include removal of the shop front, erection of a two storey rear/side extension, and pitched roof over the existing store.**

Location **Chordale Wine Merchants 275 Eaves Lane Chorley PR6 0EY**

Applicant **Mr Brian Wilding**

Consultation expiry: **3 December 2012**

Application expiry: **12 November 2012**

Proposal

1. Change of use from existing shop with accommodation above (Class A1) to 4 no. Studio Apartments (Class C3)
2. Two storey rear/side extension and pitched roof over existing store.

Recommendation

3. It is recommended that this application is approved.

Main Issues

4. The main issues for consideration in respect of this planning application are:
 - Principle of the development
 - Housing Development
 - Impact on the neighbours
 - Design
 - Flood Risk
 - Traffic and Transport
 - Contamination and Coal Mines

Representations

5. Six letters of objection have been received from the occupiers of 271, 273 and 277 of Eaves Lane and 2, 3 and 6 Geoffrey Street raising the following issues:
 - Lack of parking availability and highway safety
 - Loss of privacy
 - Excessive additional noise
 - Lack of space for waste bins
 - Adverse impact on character of the area
6. No letters of support have been received

Consultations

7. **Lancashire County Council (Highways)**
No objection on the basis that the scheme has been revised to seek consent for 4 apartments rather than 5 as originally proposed.
8. **Planning Policy**

No objection and comment that the existing shop is not within the adopted Chorley Local Plan Review boundary of the Eaves Lane Neighbourhood Shopping Centre protected by Policy SP6. However, at the Preferred Option stage (Site Allocations and Development Management Policies DPD– September 2011) the Eaves Lane (North) Local Centre was amended to include the property 275 Eaves Lane within the boundary of the Local Centre and subject to Policy EP7 (Development and Change of Use in District and Local Centres. This is the boundary carried forward to the Publication Local Plan (September 2012) and protected within Policy EP7 (Development and Change of Use in District and Local Centres) which states at criteria c) planning permission will not be granted for non- retail uses unless it can be shown that there is no demand for retail or commercial use or the property was last occupied by a non- retail/non -commercial use. The Publication Chorley Local Plan, however, has limited weight.

Assessment

Principle of the development

9. The application property is currently a retail unit (A1) where trading has ceased. There is an associated storage building with a small yard area to the rear, and living accommodation above at first floor level.
10. The application site occupies a corner position on Eaves Lane and Geoffrey Street, and is one of four terraced properties in a row, the others being residential dwellings. The terraced properties along Eaves Lane on the opposite corner of Geoffrey Street are also residential dwellings. The row of properties directly opposite, on the other side of Eaves Lane, is shops with living accommodation at first floor.
11. The residential properties and shops along Eaves Lane rely on the car parking bay along the road for parking. There is also a bus stop and shelter outside the shops. The terraced residential properties on Geoffrey St equally rely on on-street parking which takes place on both sides of the road.
12. The proposed development would add a two storey rear/side extension measuring 5.5m by 2m to cover the space taken up by an existing yard between the shop and a store, which is to include living accommodation. The roof would extend above the existing two storey outrigger and would be more than 1m lower than the original roofline and would therefore appear subservient to the original property.
13. As the site is located within the settlement boundary, covered by Policy GN1 of the Chorley Borough Local Plan Review 2003, there is a presumption in favour of appropriate development, subject to normal planning considerations and the policies and proposals of the plan. In an area that is largely residential, with good transport links and proximity to amenities the principle of replacing a retail unit with four one bed studio apartments is considered an appropriate development.
14. The property is located outside the boundary of the Eaves Lane Neighbourhood Shopping Centre within the extant Chorley Local Plan Review (2003). Although the property is within the Eaves Lane (North) Local Centre as identified within the Publication Local Plan (September 2012), this currently has limited weight and therefore the change of use is considered an appropriate development in this location.

Housing Development

15. The application site is situated in a highly accessible location, close to the town centre and public transport facilities, and predominantly consisting of housing.
16. The proposed flats comply with Local Plan policy HS11. The conversion would provide acceptable standards of accommodation with typical room sizes and means of independent access for each individual unit. The residents of neighbouring properties would be unlikely to be affected by unacceptable noise transmission or other disturbance.
17. The development would result in three net additional units, as one existing unit would be

replaced. This would represent a reasonable increase in the level of housing provided in a largely residential location of relatively high density. It would also contribute to the overall housing requirement identified within the Chorley Local Plan Review (2003) and Central Lancashire Core Strategy (2012), and is supported by the NPPF as the benefits provided by additional housing are not outweighed by harm presented by additional demand upon on street parking.

Impact on the neighbours

18. The replacement of the shop with studio apartments would result in reduced levels of visitors to the property, therefore the level of nuisance would be less than would be experienced with a thriving retail business located there.
19. The development would result in the creation of windows serving habitable rooms to the ground floor and first floor front elevation, first floor and ground floor rear elevation, and ground floor side elevation facing Geoffrey Street. There would be no windows in the side elevation facing 273 Eaves Lane.
20. To the front elevation these have interface distances of over 21m from properties opposite, reflecting the situation at neighbouring residential properties.
21. The first floor rear elevation window would be approximately 10m from the nearest property to the rear and faces a side elevation featuring only one window to a non-habitable room at first floor. It would overlook Geoffrey Street and the front garden of 3 Geoffrey Street.
22. The ground floor rear elevation window would look directly onto the back street and would be approximately 5m from the side elevation and front garden of 3 Geoffrey Street, which it would face. Although this window would be in close proximity to 3 Geoffrey Street it would not provide views into any private areas of the property. It would also directly overlook the back street, which although unusual, would add to the natural surveillance of the area and is fundamentally no different to the many windows on other properties in the area that look directly onto the highway.
23. The ground floor side elevation window would be located in an original window opening that is currently a boarded part of the shop front. This would form a window to a habitable room and would face the blank elevation of 277 Eaves Lane from which it would be 11m distance. The window looks directly out onto Geoffrey Street but would not provide views into any private areas as a result.
24. Other window openings would be added serving non habitable rooms and would have obscure glazing secured by condition.
25. The proposed extension would have a marginally greater impact on the amenity of the neighbouring property at 273 Eaves Lane. It would be 0.85m higher to the ridge above first floor level but no greater in length and no nearer to this property. Also the single storey rear extension would have a mono pitched roof and would be 0.65m higher than the existing store building at the top of the pitch, but 0.6m lower at the lowest point. The extension is to the north of 273 Eaves Lane and therefore would not result in any loss of direct sunlight. The effect the additional height is considered to be acceptable.
26. The extension would not impact negatively through its scale on any other neighbours due to the distances from other properties and small scale nature of the changes.
27. It is considered that the proposed development would not have an unacceptable impact on the amenity of the occupiers of any other neighbouring properties through loss of outlook, privacy or light.

Design

28. The proposed extension would be built of materials to match the existing buildings. It would be of a lower height to the existing building and therefore subservient. It would have a pitched roof and gable end perpendicular to the property, which is a common feature throughout the

area. The shop front would also be removed and altered to reflect residential use. Bin storage would be provided via the rear side elevation facing Geoffrey Street. A pitched roof would be built above the existing storage building.

29. The material changes would not have an adverse impact on the character of the area due to their small scale. A front garden wall and gate would be added in order to harmonise with the residential nature of the street scene in this location.
30. In addition to these physical changes the development would be a positive outcome in terms of providing much needed attention to the building. The development would improve the appearance of a rather poorly designed store building to the rear, which currently detracts from the appearance of the area.

Flood Risk

31. The site is not within a Flood Zone as identified by the Environment Agency nor is it more than 1 hectare in size. A Flood Risk assessment is therefore not required.

Traffic and Parking

32. No specific off street parking has been proposed as part of the development. It is considered, however, by LCC Highways that there is an adequate level of on street parking in the area to support the four vehicles that would reasonably be generated by occupants of the proposed development. Further to this there is good access to public transport and town centre amenities reducing the need for car journeys.
33. It is accepted that there are existing parking difficulties in the area, however, the car journeys and parking demand generated by the existing retail unit would be removed, and there is already a residential unit at the property that would result in parking demand. The additional residential parking demand generated by this proposal would therefore be presented by three net additional residential units, and the removal of the need for parking to serve a retail unit. This is considered to be a negligible increase on existing levels of demand and is therefore considered appropriate.

Contamination and Coal Mines

34. The site is not within a Coal Referral Area, the Coal Authority do however wish their Standing Advice to be added to any permission as an informative.

Overall Conclusion

35. The property would be extended to support the creation of four studio apartments. The physical changes would not result in any significant harm to the character and appearance of the existing building or the surrounding area, nor would it cause any significant harm to the amenity of neighbouring residents.
36. The main issue with this proposal is that of parking provision. No off street parking has been provided within the proposed scheme, however, LCC Highways considers that there is adequate on street parking in the area to support four one bed apartments at the property in light of one dwelling and a retail unit being replaced. In addition to this there is good access to public transport and town centre amenities without the need for access to a car.
37. It is considered that the proposed flats would provide adequate accommodation and cause no loss of amenity for neighbouring residents through overlooking, car parking or noise disturbance.

Other Matters

Sustainability

38. The proposal would result in the creation of dwellings located close to public transport, and within walking distance of local amenities available in the Neighbourhood Shopping Centre.

Waste Collection and Storage

39. Provision has been made for the storage of six bins to the rear side of the property accessed

via Geoffrey Street. This is considered to be a reasonable level of provision for four one bed studio apartments.

Planning Policies

National Planning Policies:

National Planning Policy Framework (NPPF)

Adopted Chorley Borough Local Plan Review

Policies: GN1, GN5, HS11, TR8

Supplementary Planning Guidance:

- Statement of Community Involvement
- Design Guide

Joint Core Strategy

Central Lancashire Core Strategy (2012)

Emerging Chorley Local Plan Publication Version (formerly Site Allocations and Development Management Policies Development Plan Document)

V1, ST4, EP7

Planning History

Ref: 88/00418/COU **Decision:** REFFPP **Date:** 12 July 1988
Description: Change of use to fish and chip shop/ hot food take away

Ref: 75/00573/FUL **Decision:** PERFPP **Date:** 18 August 1975
Description: Replacement Garage

Ref: 74/00850/FUL **Decision:** WDN **Date:** 6 December 1974
Description: Take Away Fish/Chip Sales

Recommendation: Permit Full Planning Permission Conditions

1. The approved plans are:

Title	Plan Ref.	Received On:
Location Plan		17 September 2012
Existing Plans	LE01	17 September 2012
Existing Elevations	LE03	17 September 2012
Proposed Plans (Amended)	LE02	19 November 2012
Proposed Elevations (Amended)	LE04	19 November 2012

Reason: *To define the permission and in the interests of the proper development of the site.*

2. All external facing materials shall match in colour, form and texture those on the existing building.

Reason: *In the interests of the visual amenity of the area in general and the existing building in particular and in accordance with Policy Nos. GN5 and HS9 of the Adopted Chorley Borough Local Plan Review.*

3. All windows in the first floor of the building's side elevation, and the window to the ensuite bathroom in the ground floor of the building's side elevation shall be fitted with obscure glass and obscure glazing shall be retained at all times thereafter.

Reason: *In the interests of the privacy of occupiers of neighbouring property and in accordance with Policy Nos. GN5, HS4 and HS9 of the Adopted Chorley Borough Local Plan Review.*