

Item B. 3 **06/00794/COU** **Refuse Full Planning Permission**

Case Officer **Mr Alistair Gemmell**

Ward **Eccleston And Mawdesley**

Proposal **Change of use of a wool shop to residential dwelling and alterations to the exterior**

Location **305 The Green Eccleston Lancashire PR7 5TJ**

Applicant **Mr A Proudlove & Mrs R Royster**

Background The application relates to a terraced property at 305 The Green within the settlement of Eccleston and one of the two allocated shopping centres. Historically two dwellings (Nos. 303 and 305), the building now comprises a former wool shop on the ground floor at the front with a single dwelling unit forming the remainder of the ground and first floors. Permission is sought to change the use of the vacant shop area - approximately 42 m² - to residential use related to the rest of the property.

The application also involves external alterations to the front and rear elevations, altering the proportions of a number of the existing window openings and replacing all windows with timber sash windows. The timber boarding and large windows at ground floor level to the front will be replaced with brickwork, two smaller windows and new door with stone door surround.

Planning Policy The application property is located within a local shopping centre, as defined in the Adopted Chorley Borough Local Plan Review. Policy SP6 of the Local Plan states that within local shopping centres proposals other than for retail and commercial use on the ground floor will be refused unless it can be shown that there is no demand for retail or commercial use for the property concerned.

Eccleston is also defined as a rural settlement in Policy GN3 of the Local Plan. Policy DC10 of the Local Plan seeks to protect community facilities in rural areas, such as shops. Proposals which involve the loss of a community facility will not be permitted unless it can be demonstrated that the facility is no longer needed or that alternative facilities exist; the facility is no longer economically viable and all reasonable efforts have been made to sell or let the property as a community facility at a realistic price. Supplementary planning guidance has been prepared which gives more details on the type of information that is required:

- A statement of efforts and a proof of marketing should be prepared by a suitably qualified person (e.g. a chartered surveyor);
- The statement should include a record of all expressions of interests/details of offers received;
- Proof of marketing should involve marketing for a period of 12 months, advertisement in the local press, inclusion on agent's website, an agents advertisement board on each site frontage, the use of mail shots to local property agents/businesses/community groups;

- Inadequate financial return on investment or lack of market demand will not itself be sufficient justification to demonstrate that the premises cannot be used.

The windfall housing Supplementary Planning Guidance and Ecclestone Village Design Statement are also relevant.

Planning History

Planning Permission was granted for the existing shop front in November 1963. A further permission was granted in August 1978 for a lounge extension at the rear.

Consultees Responses

Planning Policy Section: The proposal needs to accord with policies SP6 and DC10 of the Local Plan Review and the associated Supplementary Planning Guidance on the protection of community facilities in rural areas. Insufficient evidence has been supplied of a lack of demand for retail and commercial uses or that the whole property was last occupied by a non retail/non commercial use. Furthermore, the applicants are required to demonstrate that the facility is no longer needed by the community, that alternative facilities exist locally and that the unit is no longer economically viable. A Statement of Efforts made to the market showing that all reasonable efforts have been made to sell or let the property as a community facility at a reasonable price should accompany the application but has not been submitted.

The proposal does not create a new dwelling unit and as such not contrary to current windfall housing restrictions.

No other responses received to date.

Third Party Representations

Councillor Culshaw has requested that the application be referred to the Development Control Committee because it could be controversial and of general interest.

No further comments received to date, although it is expected that further representations supporting the application will be received, particularly regarding the current appearance of the property.

Applicant's Case

The applicants have advised that the property has not been in retail use for nearly 18 years and that in this time other businesses nearby have failed. Problems with parking and access for delivery vehicles are cited, as is the need for the extensive renovation/rebuilding of the property.

The applicants are expected to provide further details supporting the application but is not intending to carry out a period of marketing.

Assessment

Design and appearance

Alterations to the exterior of the front and rear of the property are proposed. To the front, at first floor, the existing window openings will be retained with replacement natural stone lintels and wooden sash windows fitted. The timber boarding at ground floor and large window panes, granted permission in 1963, will be replaced with brickwork, utilising recycled brick. The two new window openings at either side of the entrance have the same detailing and proportions of those above. The new stone door surround

also proposed is in keeping with the local vernacular, as outlined in the Ecclestone Village Design Statement.

At the rear, three (one at first floor and two at ground floor) of the current openings would be altered, reducing their horizontal proportions and inserting french doors. Materials and detailing will match the front elevation. Overall the appearance of the property would be improved by the external alterations proposed and the new elevational details are reflective of the surrounding area.

Neighbour amenity

The alterations to the proportions of the windows as described above would not cause detriment to the amenity of neighbours.

Windfall Housing

The proposal would enlarge the existing dwelling unit and does not involve the creation of an additional dwelling unit and it therefore acceptable in terms of the windfall housing SPG.

Loss of community facility/retail premises

Notwithstanding the period of time the shop has remained vacant, Policy DC10 of the Local Plan Review and the Supplementary Planning Guidance relating to the protection of community facilities in rural areas, seek to protect retail units and other community facilities which are – or were last used – for a purpose providing a service or other benefit to a rural community. Contrary to the provisions of the Supplementary Planning Guidance, the applicants have failed to provide any Statement of Efforts or Proof of Marketing to show that there is no demand for a retail or commercial use at the property and that such a use is no longer economically viable.

The success or otherwise of other businesses in the locality is not sufficient to demonstrate that the unit is no longer economically viable or that there is no demand for a retail or other use that would provide a service to the community. Similarly, while it is acknowledged that the external alterations proposed would improve the appearance of the building, this in itself or/and any structural work that may be necessary does not justify the loss of a community facility.

Conclusion The proposal is recommended for refusal.

Recommendation: Refuse Full Planning Permission

Reasons

1. The application property lies within a local shopping centre within the rural settlement of Ecclestone, as defined in the Adopted Chorley Borough Local Plan review wherein the loss of such facilities will not be allowed unless it can be demonstrated that there is no demand for such a facility. The applicant has failed to adequately demonstrate that the facility is no longer required, no longer economical viable and that all reasonable efforts have been made to sell or let the property at a realistic price. The proposal is therefore contrary to policies SP6 and DC10 of the Adopted Chorley Borough Local Plan Review and Supplementary Planning Guidance on The Protection of Community Facilities in Rural Areas.
