

## **APPLICATION REPORT – 16/01062/FUL**

**Validation Date: 14 November 2016**

**Ward: Coppull**

**Type of Application: Full Planning**

**Proposal: Change of use from residential dwellinghouse to supported housing scheme**

**Location: 120 Chapel Lane Coppull Chorley PR7 4PN**

**Case Officer: Mr Iain Crossland**

**Applicant: Mr Mike Scott**

**Agent: Ms Rosie Dinnen**

**Consultation expiry: 26 December 2016**

**Decision due by: 10 February 2017**

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### **RECOMMENDATION**

1. It is recommended that this application is approved subject to conditions.

### **SITE DESCRIPTION**

2. The application site is an existing dwellinghouse located on the corner of Chapel Lane and Lancaster Street in the core settlement area of Coppull. The property itself is a detached red brick building of traditional design style. There are gardens and driveway parking within the curtilage of the building and a double garage to the rear.
3. The character of the area is predominantly residential. There is a primary school to the north west of the site, although the application site does not bound the school grounds.
4. The application site was previously made up of two separate units, one of which incorporated a Post Office. The units were combined and use changed to a dwellinghouse with offices through application 08/01178/COU. The building has since become a dwellinghouse in its entirety.

### **DESCRIPTION OF PROPOSED DEVELOPMENT**

5. The proposed development is for the change of use from a dwellinghouse (Class C3) to a supported housing scheme (Class C2). There would be no external alterations to the building.

## APPLICANT'S CASE

6. The Planning Statement submitted in support of the application confirms that the Richmond Fellowship is a specialist provider of mental health services that are directed towards reducing hospital admissions for people with mental health needs. Richmond Fellowship has a number of supported housing schemes around England. They are actively working with Lancashire County Council and Lancashire Care Foundation Trust.
7. It is proposed that the use would be for accommodation to be provided for up to six service users with mental health needs that require short term respite accommodation, and who would be referred by the Crisis Resolution Home Treatment Service. The Statement outlines that the model for the proposals would be based upon the desire to create community spirit and encourage independent living and social skills in a safe environment. Those in need of support would therefore have their own private room with en-suite facility but access to a shared kitchen and other living spaces. The applicants are clear that individuals with acute mental health issues will not be accommodated at the site.
8. It is suggested that the typical length of stay for a service user would be seven days but this occasionally extends to ten days depending on the requirements of each person referred to the Fellowship. Staff would be present 24-hours-a-day (accommodated in an office or separate bedroom) and service users would arrive and depart between the hours of 8am and 10pm via assistance from close relatives or members of staff, as such it is suggested that there would be neither be late admittance nor significant vehicular movements associated with the use. The Care Quality Commission monitors, inspects and regulate these services to make sure they meet fundamental standards of quality and safety and publishes the findings of these inspections.

## REPRESENTATIONS

9. 34 representations from 30 addresses have been received objecting to the proposed development. These relate to the following issues, which have been summarised:
  - Impact on community safety through crime and anti-social behaviour;
  - Impact on safety of school children through crime and anti-social behaviour;
  - Highway safety and car parking;
  - Impact on amenity of neighbouring occupiers through noise and disturbance;
  - Loss of privacy for neighbouring occupiers;
  - Impact on property values;
  - Lack of consultation / notification;
  - Misleading description;
  - The Council has received financial incentives to permit the development.

10.3 representations have been received in support of the proposed development.

## CONSULTATIONS

11. **Regulatory Services - Environmental Health** – No comments received

12. **Waste & Contaminated Land** – No comments to make

13. **Lancashire Highway Services** – No comments received

14. **Coppull Parish Council** – further information circulated to Parish Councillors / local residents and placed in the notice boards – no objections previously sent, subject to consideration being given to the concerns of residents in regard to the change of use as a mental health unit, parking, etc.

## PLANNING CONSIDERATIONS

### Principle of the Development

15. The National Planning Policy Framework (The Framework) sets out the three dimensions of sustainable development having an economic, social and environmental role. Paragraph 14 further identifies the presumption in favour of sustainable development. For plan making, that means that the needs of the population are taken into account and for decision taking, where the Local Plan is absent or out of date that any adverse impacts should significantly outweigh the benefits for permission to be refused.
16. Paragraph 17 of the Framework sets out 12 'Core Planning Principles' that should underpin plan-making and decision-taking. One of these principles establishes that planning should: *"take account of and support local strategic to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs."*
17. Policy 23 of the Central Lancashire Core Strategy is supportive of schemes that help to reduce health inequalities, and in particular health care infrastructure to improve mental health care access and facilities.
18. Policy 10 of the Central Lancashire Core Strategy seeks to protect existing employment premises and sites. The property is currently being used as a residential dwelling. However, it is noted that in 2009 planning permission was granted to change the use of the ground floor of the former post office to office use. The office was used by the owner of the remainder of the property who operated an engineering company from the premises. The business ceased trading from the property five years ago when the owner retired. As more than four years have passed since the office was operational and the room has been used for domestic purposes since, its lawful use is now residential.
19. Nevertheless, in this instance the loss of the employment use at the site is of very limited impact as the office space only comprises 59 square metres. The loss of this employment land is especially minor in light of the Council's existing and proposed employment land allocations. In Coppull, the designated employment sites include Coppull Enterprise Centre, Chapel Lane Industrial Estate and Blainscough works which provide purpose built employment accommodation. There are also other sites and opportunities that could support the type of small scale use provided at this site.
20. There is an identified need for the proposed use that is supported by the Core Strategy itself, and the character of the area is largely residential therefore the proposed use would be no less suitable than an employment use at the site. The impact on amenity would be similar. The proposal would not therefore be contrary to Policy 10 in any case.
21. The application site is located in the core settlement area of Chorley. 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.
22. Policy BNE1 of the Chorley Local Plan 2012 – 2026 established the design criteria for new development. In relation to this particular proposal, the scheme must demonstrate how the proposed change of use of the building would not prejudice highway safety, and the highways impacts of the proposal would not be severe. New development must also comply with policy ST4 in relation to the Councils adopted Parking Standards policy. New development must not cause an unacceptable degree of noise disturbance to surrounding land uses.

### Fear of crime

23. The proposed change of use has aroused a significant level of local opposition, relative to the scale of development under consideration. Many objectors have expressed their fear that crime and anti-social behaviour in the area would increase, with a particular concern in relation to the proximity of the local school, and the vulnerability of local children. It has been

established in the court of appeal (*West Midlands Probation Committee v SoSE and Walsall MBC* [1998]) that fear of crime is a material planning consideration. However, a more recent case (*Smith v FSS and Mid Bedfordshire DC* [2005]) has made it clear that, if fear of crime is to be a material consideration, there will need to be some reasonable evidential basis for that fear.

24. It is clear that the fears of those who have objected to the proposal are very real, however, they are nevertheless unsupported by evidence. The letters of objection and correspondence that has been received present found no specific or directly comparable evidence to weigh against the need for the facility. Any incidents that have been referred to do not relate to short term respite accommodation for people with non-acute mental health issues, and are not relevant in this instance. Therefore although fear of crime can be a material consideration, in this case it is not considered that there is sufficient evidence for that fear and therefore would not be a legitimate basis on which to withhold planning permission.
25. It must also be considered that the planning system, while seeking to deliver a safe and accessible environment for people to live, should also address the needs of all those living in society, including those unfortunate enough to experience mental illness. Overall, it is considered that the effect on the perception of fear and disorder and antisocial behaviour on the living conditions of residents does not outweigh the need for the facility.

#### Impact on neighbour amenity

26. The application building itself is located approximately 8m from a dwelling at 116 Chapel Lane to the north east, 20m from a dwelling at 122 Chapel Lane to the south west, 26m from 75 Lancaster Street to the north west and 26m from 115 Chapel Lane to the south east.
27. The application building is detached and is currently in use as a dwellinghouse. As such any impact on privacy as a result of the proposed use would be no greater than the impact already presented by the existing use of the building as no new habitable room windows would be created.
28. A number of concerns have been raised in relation to the impact on neighbouring residential amenity through noise and disturbance. Care and nursing homes, which are in the same use class as the proposed scheme, are consistently viewed as an acceptable part of predominantly residential areas. The service users themselves would be seeking convalescence in peaceful and orderly environment, which would be in harmony with the residential setting.
29. Further to this, the applicant's Planning Statement also outlines the nature of the proposals, which are to accommodate up to six individuals for short term respite care, typically for 7 to 10 days. The building would also accommodate a staff office and bedroom at ground floor and the premises would be staffed 24 hours a day.
30. The service model of the Richmond Fellowship means that residents can only be accommodated at the premises if they are referred by the Crisis Resolution Home Treatment Service, and if they meet the entry requirements. This means that the premises could not be accessed directly by the general public and that all residents will have effectively been through a screening process before they are able to access the premises. In addition service users would only be admitted to the premises between 8am and 10pm.
31. As such it is considered that the use of the facility will be closely managed and that the level of disturbance to nearby residents through arrivals and departures from the site will be limited, and would not take place during the more sensitive times of the day. It is therefore considered that the levels of noise and disturbance generated by the use of the building itself and as a result of arrivals and departures would be relatively low level and would not be harmful to the amenity of neighbouring occupiers.

#### Impact on character and appearance of the locality

32. The proposed development would not include any external physical alterations to the building and the use itself would be compatible with residential dwellinghouses as the nature of the proposed use is such that it would operate in a discreet and inconspicuous manner. It would not therefore have any discernible impact on the character of the area.

#### Impact on highways/access

33. The proposed use of the building for supported housing would result in a requirement for two car parking spaces on the site in line with the adopted parking standards set out in Appendix A of the Local Plan 2012 – 2026. The site plan demonstrates that there is currently space for at least five cars on the drive and paved area to the rear. There is also a double garage. This would meet with the parking requirements set out in the Local Plan.
34. Moreover, the model operated by the Richmond Fellowship is such that it is unlikely service users would use their own vehicles or parking within the site / immediate area, as they would only arrive by virtue of agreed referrals and are normally dropped off by friends/family or arranged transport. The level of traffic generated by the proposal would be fairly modest and it is not considered that there would be an impact on highway safety severe enough, in terms of that required by Paragraph 32 of the Framework, to warrant the refusal of the application.

#### Other matters

35. The following responses are made to issues raised during the planning process:
36. Impact on community safety through crime and anti-social behaviour: Each patient would have an assessment to identify their personal needs, determine treatability and assess risk. There is no evidence to suggest that the service users present any greater risk to community safety through crime and anti-social behaviour than any other member of the community. Indeed the individuals that will receive support at the facility are already members of the community.
37. Impact on safety of school children through crime and anti-social behaviour: It is considered unlikely that any of the service users would gain access to the school. Children within a school are intensively and constantly supervised by trained adults and any strangers within the grounds would be quickly noticed and the police would be called.
38. Impact on property values: There is no evidence to suggest that the proposed use would impact on the value of property in the area. This is not a material planning consideration in any event.
39. Lack of consultation / notification: Officers are satisfied that consultation was carried out in line with the national requirements regarding planning applications. Moreover, the residents situated adjacent to the site and on the opposite side of the road were notified as part of the application and these are the closest neighbours. A letter was also sent to Coppull Parish Church School. A site notice was posted on a lamp post opposite the site on Chapel Lane.
40. Misleading description: The description reflects that which was provided by the applicant on the application form, and is understood by the Council to represent a use falling within the C2 use class, which includes residential care homes, nursing homes, and boarding schools. Further information has been provided by the applicant in the form of a planning statement, which provides further detail on the proposal and is freely available to view on the planning file of the Council's website.
41. The Council has received financial incentives to permit the development: The Council has not received any financial incentives that would influence or compromise its objectivity or independent position in the decision making process.

## CONCLUSION

42. The proposed development would have no unacceptable detrimental impact on the amenity of neighbouring occupiers and would have no impact on the appearance of the site and character of the area. In addition there is adequate parking given the sustainability of the location. On the basis of the above assessment it is considered that the proposal complies with the development plan as a whole and therefore it is recommended that planning permission be granted.

**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.

## RELEVANT HISTORY OF THE SITE

Ref: 01/00510/FUL Decision: PERFFP Decision Date: 30 July 2001  
Description: Erection of conservatory to rear.

Ref: 08/01178/COU Decision: PERFFP Decision Date: 11 February 2009  
Description: Application for change of use of building from post office with office above, to office at ground floor & part domestic use at first floor (domestic use to be incorporated into no. 120). Erection of external covered staircase to link offices, removal of shopfront, external alterations enclosure of forecourt & landscaping.

Ref: 89/00754/COU Decision: REFFPP Decision Date: 17 October 1989  
Description: Change of use of dwelling to offices

Ref: 87/00489/FUL Decision: PERFFP Decision Date: 4 August 1987  
Description: Change of use of part of first floor from dwelling to office including new external staircase

## 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 following approved plans:

Title	Drawing Reference	Received date
Location plan		14 November 2016
Proposed site plan	3529-05	22 December 2016
Proposed floor plans	3529-SK02	14 November 2016

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

3. The number of individuals receiving care at the premises in connection with the use hereby permitted shall be limited to a maximum of 6 no. people at any one time.  
*Reason: In the interests of protecting the amenity of nearby residential occupiers through noise and disturbance.*