

## **APPLICATION REPORT – 17/00044/FULMAJ**

**Validation Date: 17 January 2017**

**Ward: Chorley East**

**Type of Application: Major Full Planning**

**Proposal: Erection of 12no. affordable dwellings following the demolition of the former St.James Bowling Club (10 houses and 2 apartments)**

**Location: St James Bowling Club Eaves Lane Chorley PR6 0PX**

**Case Officer: Mr Iain Crossland**

**Applicant: Mr A Loughlin**

**Agent: Tony Lawson**

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### **RECOMMENDATION**

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

### **SITE DESCRIPTION**

2. The application site comprises a disused social club, with disused bowling green to the rear and is located within the core settlement area of Chorley. The site is positioned on Eaves Lane and lies between Crosse Hall Lane to the north and Frederick Street to the south.
3. The site currently consists of a large former social club building of traditional design character with red brick, stone detailing and a roof laid in slates. The building faces onto Eaves Lane and has an imposing institutional appearance, which adds to the character of the area. The building is not listed, however. There is surrounding hardstanding and a car park that leads to a hedge defining the boundary of the former bowling green.
4. The area is characterised predominantly by high density residential development in a variety of designs and styles, set out in a traditional street pattern.
5. The topography of the site is fairly flat with an approximate 1.25m difference in levels sloping gently from west to east.

### **DESCRIPTION OF PROPOSED DEVELOPMENT**

6. The proposed development is for the demolition of the St James Club building and erection of 12no. affordable dwellings, comprising 10 houses and 2 apartments, with associated landscaping and infrastructure. Vehicular access would be taken from Eaves Lane

## **REPRESENTATIONS**

7. A joint representation has been received from Chorley East Ward Cllrs Terry Brown, Hasina Khan, and Zara Khan stating the following:

*We are concerned about the loss of open space within the site (former bowling green) and would ask the developer provides a replacement piece of open space in the area.*

*We would also like to raise awareness of vehicles turning right out of the site. Residents of the Morris homes estate are expressing concerns about being unable to turn right onto Eaves Lane.*

*We are further concerned about the number of permissions already granted along the Eaves Lane corridor.*

*Over 250 further houses have been granted planning permission along the Eaves Lanes corridor (not yet built) and we are concerned about the lack of Primary school places available to new households.*

## **CONSULTATIONS**

8. Greater Manchester Ecology Unit: The buildings to be demolished have been shown to be unlikely to support bat roosts, and the site itself is not of substantive ecological importance. There are therefore no overall objections to the proposal on ecological grounds.
9. Environment Agency: No comments to make
10. Waste & Contaminated Land: No objection subject to an appropriate condition being attached requiring a report to identify any potential sources of contamination on the site and where appropriate, necessary remediation measures.
11. Lancashire Highway Services: No objection subject to the appropriate conditions
12. Lead Local Flood Authority: No comments have been received
13. United Utilities: No objection subject to the appropriate conditions
14. Lancashire County Council Education Service: Based on current approvals a primary education contribution is not required. However, please note that if any of the pending applications (referred to in the full response) are approved prior to a decision being made on this development the claim for primary school provision could increase up to maximum of 1 place. With an expected pupil yield of 0 pupils from this development, we would not be seeking a contribution from the developer in respect of secondary places.

## **PLANNING CONSIDERATIONS**

### Principle of the Development

15. The National Planning Policy Framework (The Framework) states that housing applications should be considered in the context of the presumption in favour of sustainable development. This means that development proposals that accord with the development plan should be approved without delay.
16. There is particular support for the provision of affordable housing in the Framework and through Policy 7 of the Central Lancashire Core Strategy. This requires an affordable housing target of 30% in the urban parts of Chorley. The proposal is for all 12 properties to be available for affordable rent. As the whole site is to be made available for affordable housing this would be acceptable from a policy perspective and weighs in favour of the proposed development.

17. The application site is located in the core settlement area of Chorley. The Core Strategy Policy 1 is concerned with locating growth and identifies Chorley Town as a Key Service Centre where growth and investment should be concentrated.
18. The site is not allocated for any specific use within the Chorley Local Plan 2012 - 2026 and the Local Plan 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.
19. The application site is a disused social club and bowling green. The Framework, at section 70 stipulates that to deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:
  - Guard against the unnecessary loss of valued facilities and services particularly where this would reduce the community's ability to meet its day to day needs;
  - Ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community.
20. Core Strategy Policy 25 (Community Facilities) seeks to ensure that local communities have sufficient community facilities provision by (c) resisting the loss of existing facilities by requiring evidence that they are no longer viable or relevant to local needs.
21. Policy HW6 of the Chorley Local Plan 2012 - 2026 reflects this and seeks to protect community facilities from redevelopment. This policy states that the loss of a community facility will be permitted where it can be demonstrated that:
  - a) *The facility no longer serves the local needs of the community in which it is located;*
  - b) *Adequate alternative provision has been made, or is already available, in the settlement or local area; and*
  - c) *The use is no longer financially viable; and*
  - d) *The facility is in an isolated location remote from public transport routes; or*
  - e) *There is an amenity or environmental reason why the facility is no longer acceptable.*  
*The loss of the social club building is assessed below.*
22. The application site includes a disused bowling green, which falls to be considered as a sport and recreation facility. Policy HW2 of the Chorley Local Plan 2012 – 2026 is therefore engaged, which states that land and buildings currently or last used as, or ancillary to, open space or sports and recreational facilities will be protected unless certain criteria can be met. These are assessed below.

#### Loss of the social club building

23. The social club building on the application site has been vacant since April 2014. Its loss is assessed against the criteria of Policy HW6 of the Chorley Local Plan 2012-2026.
  24. a) *The facility no longer serves the local needs of the community in which it is located;*  
The information submitted by the applicant states that the site was available for purchase in July 2011 following the closure of the social club. Although a sale was agreed, the brewery was approached by a potential licensee and the social club re-opened. Unfortunately, due to poor trade figures the social club was closed again in April 2014. The fact that the social club facility has not operated for approximately three years and has struggled to achieve stable operation over the last six years suggests that it has been some time since the building served the local needs of the community and no community based use has been forthcoming in the meantime.
  25. b) *Adequate alternative provision has been made, or is already available, in the settlement or local area*  
There are three public houses nearby located on Eaves Lane and Cowling Brow, and further away in Chorley town centre. There are also social facilities and buildings that could be hired for community events in the locality. These would realistically cater for any latent demand as a result of the loss of the St James's social club building.
  26. c) *The use is no longer financially viable*

Information submitted by the applicant states that the social club building was offered for sale in July 2011. The facility did open again but was closed permanently in April 2014. The fact that the social club facility has not operated for approximately three years and has struggled to achieve stable operation over the last six years suggests that it is no longer financially viable.

27. d) *The facility is in an isolated location remote from public transport routes; or*  
The facility is not in an isolated location and is easily accessible.
28. e) *There is an amenity or environmental reason why the facility is no longer acceptable.*  
At the time the application was submitted there were no amenity or environmental reasons why the facility would be no longer acceptable.
29. On the basis of the factors assessed above it is considered that the loss of the public house as a community facility should be accepted in this instance.

#### Loss of bowling green

30. The application site is a former social club with an associated bowling green. It therefore covered by Policy HW2 of the Local Plan. This policy seeks to protect land currently or last used as open space unless alternative provision is made under criterion a) or all of criteria b) to e) are satisfied. The proposal is assessed against these criteria below.
  31. a) *Alternative facilities of an equivalent or enhanced standard are provided nearby before the existing facilities cease to be available; or*  
N/A
  32. b) *It can be demonstrated that the loss of the site would not lead to a deficit of provision in the local area in terms of quantity and accessibility; and*  
No deficit in bowling greens is identified and the bowling club have already relocated.
  33. c) *The site is not identified as being of high quality and/or high value in the Open Space Study; and*  
This site was not included in the open space study as it is a bowling green.
  34. d) *It can be demonstrated that retention of the site is not required to satisfy a recreational need in the local area;*  
It is not required to satisfy a recreational need as the club have already relocated.
  35. e) *The site does not make a significant contribution to the character of an area in terms of visual amenity.*  
This bowling green does not contribute to the visual amenity of the area as it has not been used for two years, is overgrown and is not visible from public areas.
36. The supporting statement submitted with the application states that the bowling club relocated to alternative facilities when the application site closed in April 2014 and this site has been vacant since then.
37. The proposed development would provide much needed affordable housing in a sustainable location, which is of benefit to the community. As such it is considered that the loss of the amenity green space at the site can be justified in this instance due to the benefits provided by the proposed development.

#### Design and impact on the character of the area

38. The proposal is for the demolition of the St James's social club building and erection of ten dwellinghouses and two apartments comprising a row of four dwellings facing Eaves Lane, three sets of semi-detached dwellings set back within the site and a building with two apartments that would have the appearance of a dwelling. The proposed dwellings would be of a fairly standard modern design set over two storeys.

39. The existing building has an imposing character and defines this part of Eaves Lane, contributing a landmark building to the street scape. The building has a number of interesting features including decorative gables and stone lintols and masonry detailing. It represents a characterful institutional style building of the period, however, it is not listed or protected by any other designation. Despite its current disuse and boarded up windows the loss of the building would be detrimental to the character of the area, and its replacement with a row of four rather standard dwellinghouses would leave a void in the street scene in this part of Eaves Lane.
40. Although the proposed development would result in an overall deterioration in the character of Eaves Lane in this location it must be recognised that no lasting or meaningful purpose has been found for the building over the last six years. As such the building is currently providing no purpose, is not being maintained and is likely to deteriorate. In addition to this the proposal under consideration would result in the provision of 12 affordable homes, which would be of great benefit to the community. On balance it is considered that the loss of the building and subsequent impact on the character of the area is outweighed by the provision of affordable housing and development of an enduring use for the site.
41. In consideration of the proposed dwellings and overall design of the scheme the area is characterised by red brick and some stone dwellings of a traditional design style set within a relatively high density layout. It is noted that there is a fairly uniform street pattern in the immediate area of the site with mainly terraced units. The proposed development would reflect this arrangement, and in particular would maintain an active street frontage facing Eaves Lane, which is consistent with the prevailing character of the area.
42. Vehicular access to the site would be from Eaves Lane to the north side of the site. The orientation of the proposed access allows the properties to be inwardly facing to enhance community surveillance and security, with the creation of a court yard style layout. The overall layout would be compatible with the character of the area.
43. The dwellings themselves would be of a scale that is sympathetic and respectful to the existing nearby properties. They would be faced red brick with render and brickwork details alongside grey roof tiles, which would reflect the existing local vernacular. Features such as artstone heads and sills and arched brick heads to openings would be applied to the elevational treatments for additional aesthetic value and improved integration into the existing character.
44. It is noted that the density of the scheme would be around 50 dwellings per hectare. The preamble to Policy 5 in the Central Lancashire Core Strategy states that inner urban locations are typically built at 80-90 dwellings per hectare (dph), and suburban and rural locations at 25-35 dph and different densities are appropriate across different areas. The policy itself is more general in that it seeks to secure densities in keeping with local character, whilst also considering the efficient use of land. The 50 dph density of the proposed development strikes a good balance with the prevailing density of the area. On this basis the proposed development would be compatible with the character and distinctiveness of the area in terms of its density and would balance with a relatively efficient use of land.
45. The development is therefore considered to be in accordance with Policy BNE1 of the Chorley Local Plan 2012 - 2026 and has overcome the concerns regarding the impact on the street scene.

#### Impact on neighbour amenity

46. The application site is bounded by dwellings and gardens to the north and east, dwellings, garages and a vehicular access to the south side, and Eaves Lane to the west.
47. The closest dwelling to the site is at 32 Eaves Lane, which is a semi-detached bungalow approximately 1.5m to the north boundary of the site. This would have a side elevation facing the site, approximately 15m from the proposed dwelling at plot 1. There would be no

impact on the amenity of the occupiers of this dwelling by virtue of the positioning and degree of separation from the proposed dwellings.

48. Dwellings at 2 to 16 Crosse Hall Lane back onto the northern boundary of the site at a distance of approximately 9m. The proposed dwellings at plots 5 and 6 would face these properties and would be located approximately 13m from the rear gardens and approximately 22m from the properties themselves. There would be no impact on the amenity of the occupiers of these dwellings by virtue of the positioning and degree of separation from the proposed dwellings.
49. The proposed apartments would be located approximately 3m from the boundary with 10 Crosse Hall Street and 13m from the property itself. Although the proposed building would be located to the south of this property the degree of separation is such that the impact on light (and outlook) is considered to be acceptable and in line with the Council's adopted standards. It is noted that there would be a window to a habitable room at first floor facing the rear garden at 10 Crosse Hall Street, and given the proximity it is recommended that this window be obscured glazed and secured by a condition. On this basis is not considered that there would be any adverse impact on the amenity of the occupiers of 10 Crosse Hall Street.
50. Dwellings at 22 to 30 Valley View run parallel with the eastern boundary of the site. The proposed building containing the apartments would be located approximately 15m from the rear gardens to 22 and 24 Valley View and 21m from the properties themselves. This would meet with the Council's adopted interface standards and it is not considered that there would be any adverse impact on the amenity of the occupiers of 22 and 24 Valley View. Plots 7 to 10 would be located slightly further away from the properties on Valley View and would therefore meet with the adopted interface standards.
51. The side elevation of Plot 7 would be located approximately 1m from the southern boundary of the site and garden at 23 Valley View. The property at 23 Valley View would have a side elevation facing the application site at a distance of approximately 5m and 6m from the dwelling at plot 7 itself. The relative positioning and degree of separation between these dwellings is such that there would be no impact on the amenity of the occupiers of either dwelling.
52. In terms of the interface distances between the proposed properties, these are considered to be acceptable in relation to the Council's adopted guidelines.

#### Impact on highways/access

53. The proposed development would result in 12 new residential dwellings consisting of two one-bedroom apartments, eight two-bedroom houses and two three-bedroom houses. Off street car parking has been identified on the proposed site plan for 23 vehicles provided by designated parking spaces within the site. This is in line with the adopted parking standards set out in relation to policy ST4 of the Chorley Local Plan 2012 – 2026.
54. Vehicular access to the site would be located adjacent to the northern boundary in the position of the existing access. The access would be remodelled to meet with the Lancashire County Council specifications and the formation of the new access would be carried out through a s278 agreement of the Highways Act 1980. The impact on highway safety would be similar to the existing situation with vehicles carrying out similar manoeuvres.
55. The LCC highways officer states that the access proposals and the general layout of the site are acceptable. It is therefore considered that there would be no harm to Highway Safety as a result of the proposed development, and that the site is in an accessible location.

#### Public Open Space

56. In line with Local Plan Policy HS4 a contribution towards the provision or improvement of public open space (POS) would be required to address local needs. The applicant has submitted a viability assessment that demonstrates a loss would be made after 30 years

after taking into account all the building costs, fees, management, voids, rents during that period. On that basis a contribution to POS would damage the viability of the scheme to such an extent that the development would be unviable, as additional grant funding would be required, which is not available. This report has been assessed by the Council's viability consultant, although the outcome of this assessment and verification is not available at the time of writing and will follow on the addendum prior to committee. Pending the corroboration of the viability assessment it is considered that a contribution towards the provision or improvement of public open space (POS) should be waived in this instance.

#### Sustainability

57. The 2015 Deregulation Bill received Royal Assent on Thursday 26th March 2015 which effectively removes Code for Sustainable Homes. The Bill does include transitional provisions which include:
58. *"For the specific issue of energy performance, local planning authorities will continue to be able to set and apply policies in their Local Plans which require compliance with energy performance standards that exceed the energy requirements of Building Regulations until commencement of amendments to the Planning and Energy Act 2008 in the Deregulation Bill 2015. This is expected to happen alongside the introduction of zero carbon homes policy in late 2016. The government has stated that, from then, the energy performance requirements in Building Regulations will be set at a level equivalent to the (outgoing) Code for Sustainable Homes Level 4. Until the amendment is commenced, we would expect local planning authorities to take this statement of the government's intention into account in applying existing policies and not set conditions with requirements above a Code Level 4 equivalent."*
59. *"Where there is an existing plan policy which references the Code for Sustainable Homes, authorities may continue to apply a requirement for a water efficiency standard equivalent to the new national technical standard, or in the case of energy a standard consistent with the policy set out in the earlier paragraph in this statement, concerning energy performance."*
60. The applicant has submitted a viability assessment that demonstrates a loss would be made after 30 years taking into account all the building costs, fees, management, voids, rents during that period. On that basis developing to a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations would damage the viability of the scheme to such an extent that the development would be unviable, as additional grant funding would be required, which is not available. This report has been assessed by the Council's viability consultant, although the outcome of this assessment and verification is not available at the time of writing and will follow on the addendum prior to committee. Pending the corroboration of the viability assessment it is considered that the imposition of a condition requiring all the new dwellings to achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations can be waived in this instance.

#### Education contribution requirement

61. It is noted that Lancashire County Council has indicated that a contribution is not required unless other developments come forward, the developments identified are either a significant distance from this site ie in Coppull, or have secured an education contribution Gledhill House Stud or are allocated housing sites where the County Council have previously stated that they will not seek a contribution towards education provision from the applications. In any event the applicant has submitted a viability assessment that demonstrates a loss would be made after 30 years after taking into account all the building costs, fees, management, voids, rents during that period. On that basis a contribution to education provision would damage the viability of the scheme to such an extent that the development would be unviable, as additional grant funding would be required, which is not available. It is considered that a contribution towards education provision is not justified in terms of the evidence submitted by the County Council, would make the affordable housing scheme unviable and should be waived in this instance.

#### CIL

62. The development is CIL liable but the developer can apply for an exemption as the development is for affordable housing. This, however, does not allow the Council to alternatively secure a contribution through a legal agreement.
63. Notwithstanding the above, a viability argument has been put forward with the application and accepted by the Council, therefore even if education could be secured by a legal agreement the request could not be supported within the viability of the scheme.

## **CONCLUSION**

64. The proposed development would have the benefit of providing new affordable housing in a sustainable location. The proposal would have no unacceptable detrimental impact on the amenity of neighbouring occupiers and would be compatible with the character of the area. In addition there would be no unacceptable impact on highway safety or ecology. Pending the outcome of an assessment of the applicant's viability assessment by the Council's viability consultant, 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:** 5/1/02011      **Decision:** PERFPP      **Decision Date:** 3 March 1963  
**Description:** Erection of bowling green shelter

**Ref:** 16/00211/FULMAJ      **Decision:** WDN      **Decision Date:** 21 December 2016  
**Description:** Erection of 14no. affordable dwellings following the demolition of the former St.James Bowling Club (7x houses, 6x apartments and 1x bungalow).

**Ref:** 82/00708/ADV      **Decision:** PERADV      **Decision Date:** 7 December 1982  
**Description:** Illuminated projecting sign

**Ref:** 75/00857/OUT      **Decision:** PEROOPP      **Decision Date:** 1 December 1975  
**Description:** Outline application for Sheltered Housing Accommodation (28 units)

**Ref:** 75/00766/FUL      **Decision:** REFFPP      **Decision Date:** 1 December 1975  
**Description:** Extension for Concert Room and alterations for Club facilities

**Ref:** 76/00991/FUL      **Decision:** PERFPP      **Decision Date:** 25 January 1977  
**Description:** Alterations to Club

### Suggested Conditions

To follow.