

**APPLICATION REPORT – 17/00962/FULMAJ**

**Validation Date: 28 September 2017**

**Ward: Chorley South East**

**Type of Application: Major Full Planning**

**Proposal: Erection of 10, one bedroom apartments**

**Location: Land Adjacent 13 And 15 Halliwell Street Chorley**

**Case Officer: Mr Ian Heywood**

**Applicant: Mr Ben Rose**

**Agent: Mr Chris Weetman**

**Consultation expiry: 27 October 2017**

**Decision due by: 28 December 2017**

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**RECOMMENDATION**

1. It is recommended that this application is approved, subject to conditions and a legal agreement.

**SITE DESCRIPTION**

2. The application site is located partially within Chorley Town centre. It comprises a piece of open land, historically occupied by small terraced properties until these were demolished many years ago. Since then the site has remained vacant, albeit fenced off and kept in a reasonably tidy condition. This part of Halliwell Street is characterised by terraced housing and purpose built blocks of apartments just off the secondary shopping area of Market Street. It is just to the south of the St George's Street Conservation Area.

**DESCRIPTION OF PROPOSED DEVELOPMENT**

3. The proposed development involves the erection of a three-storey block of ten apartments.

**REPRESENTATIONS**

4. Letters of objection have been received from 3no.addresses. These relate to a lack of parking and the negative impact on amenity resulting from perceived increased noise and congestion in the area.

**CONSULTATIONS**

5. **United Utilities** – no objections, subject to conditions;

6. **CIL Officers** – The development would be liable for CIL but chargeable at £0.00/square metre as it is for apartments.
7. **Lancashire County Council Education** – An education contribution is not required.
8. **Lancashire Archaeology Advisory Service** – the site has the potential for below-ground remains to be encountered by disturbance in this area. LAAS would recommend an archaeological watching brief be maintained during groundworks and such works be secured by a suitably worded condition.
9. **Lancashire Highway Services** – No objections
10. **Waste & Contaminated Land** – No comments received.

## **PLANNING CONSIDERATIONS**

### Principle of the development

11. 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.
12. The application site is located partially within the Town Centre within the core settlement area. Cores Strategy Policy 1 is concerned with locating growth and identifies Chorley Town Centre as a Key Service Centre where growth and investment should be concentrated.
13. 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 sustainable development.

### Impact on the conservation area

14. The site is outside, but close to the southern boundary of the St George's Street Conservation Area. It is considered that the proposed development is acceptable as it would preserve the appearance of the St George's Street Conservation Area and would therefore sustain the significance of this designated heritage asset.

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

15. The proposal is for the erection of a three storey building, with accommodation within the roof space that would contain ten apartments. It is of traditional style as befits this area that is close to a conservation area, but with some contemporary detailing.
16. Within the immediate area there is an eclectic mix of buildings styles and materials. The proposed building is of a slightly lower height than either the buildings to the west or east of the site and similar to those both opposite and behind it. The articulation of the elevation details is such that this reduces the apparent massing of the building such that it appears to be broadly similar to surrounding buildings.
17. A mixture of materials, as found in the immediate area, is proposed. Elevations are mostly brick with some smaller areas of render, with suitable and appropriate traditional detailing and windows of typical proportions and the appearance of traditional sashes.
18. The design approach proposed is considered to enhance the street scene.

### Impact on neighbour amenity

19. The proposed building has been designed to fit within the close-grained character of the area and replicates the separation distance between buildings as found therein. Any windows on the end elevations are either to non-habitable rooms, to rooms where obscure gazing is proposed, such as in bathrooms or lavatories, or face onto either blank elevations

or elevations where the only window is also to a non-habitable room within the adjacent properties.

20. At the rear there are no windows that face the rear of the properties on the southern side of St George's Street. Any windows have been placed so as to be at right angles to the rear elevation. Any window within the rear elevation of the proposed building are to common or service areas, such as staircases. The separation distance between the proposed building and apartments on the southern side of St George's Street is approximately 7m at the nearest point, which would impact on both outlook and direct light. It is noted, however, that this reflects the historic relationship of properties in the area. In addition to this it must be anticipated that a derelict site so close to the town centre must be developed at some stage in the interests of sustainable development, and that any development would reflect the scale and positioning of other buildings in the vicinity, which this does.
21. A residential use for this site is considered to be compatible with the existing properties in the immediate area in this highly sustainable location.

#### Impact on highways/access

22. The transport issues, including the description of existing site conditions and details of the development proposal have been set out in the submitted Transport and Planning Statements.
23. The site is considered to be in a highly sustainable location, close to both Chorley's bus and railway stations and within very close proximity to Chorley Town Centre's facilities. It is close to a number of bus routes providing access to retail, schools, health centres, hospitals, police stations etc. The street has a mixture of no waiting, restricted and resident parking only zones.
24. The applicant's proposed on-site cycle storage is noted.
25. The proposed layout of the rear of the property would facilitate bin storage provisions. Disabled access is provided for with two ramped entrances to the front elevation.
26. Lancashire County Council Highways officer has accepted the findings of the submitted Transport Statement and whilst noting that parking for residents in the area is an ongoing issue the combination of a highly sustainable location and the nature of the proposed accommodation – one-bedroomed apartments – will not cause a significant impact for highways safety or capacity in the immediate vicinity of the site.

#### Public open space

27. Policies HS4A and HS4B refer to the need for developments to make a financial contribution towards the provision of and/or improvement of various types of public open space where it is shown that a deficit of such provision is demonstrated.
28. In this case the Council's Planning Policy team has identified the following areas where this is the case and have indicated that the following contribution is required and which should be sought via a S.106 Agreement:

- a. Equipped play areas – improvement of facilities at Tatton Recreation Ground,  
**£1,340.00**

#### **CONCLUSION**

29. There would be no unacceptable detrimental impact on the appearance or character of the area or the amenity of neighbouring properties as a result of the proposed development. In addition the development is located in a sustainable location and would not have an unacceptable impact on highway safety. On this basis it is recommended that planning permission should be granted, subject to conditions and a S.106 Agreement.

**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:** 95/00766/COU **Decision:** PERFPP **Decision Date:** 10 January 1996  
**Description:** Change of use of land to car park,

**Ref:** 08/00493/FUL **Decision:** WDLPA **Decision Date:** 28 August 2008  
**Description:** Erection of 3.5 storey building containing 5 no. one bedroom flats including 1 no. apartment in roof space and two offices at ground floor level,

**Ref:** 09/00201/FUL **Decision:** WDN **Decision Date:** 14 August 2012  
**Description:** Erection of two offices and five 1 Bedroom flats

**Ref:** 5/1/00816 **Decision:** PERFPP **Decision Date:** 28 February 1956  
**Description:** Change of use from dwellinghouse to house and shop

**Ref:** 90/00871/FUL **Decision:** PERFPP **Decision Date:** 27 November 1990  
**Description:** Single-storey development of five shop units (substitution of details previously approved or three-storey development ref 9/89/443)

**Ref:** 89/00443/FUL **Decision:** PERFPP **Decision Date:** 5 September 1989  
**Description:** Redevelopment to form shop with offices above

#### 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 approved plans below:

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

Title	Plan Ref	Received On
Proposed Site Layout Plan	SK32/3A	28 September 2017
Site Location Plan	SK/32/1	28 September 2017
Proposed Plans and Elevations	SK/0/1B	28 September 2017

3. Prior to their installation samples of all external facing and roofing materials (notwithstanding any details shown on previously submitted plan(s) and specification) shall be submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved.

*Reason: To ensure that the materials used are visually appropriate to the locality.*

4. Prior to their installation details of the proposed fenestration (windows, doors and other joinery), to include full details at a scale of not less than 1:10 shall be submitted to and agreed in writing by the Local Planning Authority. All works shall then be undertaken strictly in accordance with the details as approved.

*Reason: To secure the design details of the development.*

5. No development shall take place until a programme of archaeological work, including a Written Scheme of Investigation has been submitted to and approved in writing by the Local Planning Authority.

The archaeological work should include a formal watching brief followed by such subsequent work as required to investigate and record any remains encountered. This work should be carried out by an appropriately qualified and experienced professional archaeological

*Reason: The site is situated within an area of known archaeological interest and, as such, the site should be appropriately excavated and the remains recorded. Archaeological investigation must, by necessity be undertaken prior to the commencement of development and the watching brief must take place during ground investigation works.*

6. Surface water must drain separate from the foul and no surface water will be permitted to discharge to the foul sewerage system.

*Reason: To secure proper drainage.*

7. Prior to the commencement of construction, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

The development shall be completed in accordance with the approved details.

*Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG.*

8. Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

- a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
- b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

*Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.*