

APPLICATION REPORT – 18/01093/FUL

Validation Date: 24 November 2018

Ward: Adlington And Anderton

Type of Application: Full Planning

Proposal: Change of use of no. 169 Chorley Road from dwellinghouse (Use Class C3) and no. 171 Chorley Road (post office and mixed use sui generis) to a funeral directors (Use Class A1) across the whole ground floor and 3no. 1 bedroom flats (Use Class C3) across the whole first floor.

Location: Adlington News 169-171 Chorley Road Adlington Chorley PR6 9LP

Case Officer: Chris Smith

Authorising Officer:

Applicant: Mr Ken Deighan

Agent: Mr Joe Jennings

Consultation expiry: 24 December 2018

Decision due by: 07 February 2019

RECOMMENDATION

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

SITE DESCRIPTION

2. The application site contains two end of terrace buildings at nos. 169 and 171 Chorley Road which are located at the south eastern end of a row of traditionally designed properties in the settlement area of Adlington and the Adlington Local Centre as defined by the Chorley Local Plan 2012 – 2026. No. 169 Chorley Road currently accommodates a dwellinghouse over two floors and no. 171 Chorley Road accommodated a post office with living accommodation above. The post office has now closed.
3. The row of terraced properties faces towards the A673 Chorley Road and accommodates an array of uses including a pharmacy and residential properties. Immediately adjacent to no. 171 Chorley Road, there is an unadopted access track which enables vehicular access to the rear of the site and the residential property 'Parkside'. Adjacent to the site and on the western side of Chorley Road there is a diverse range of commercial retail uses which are typical of a small retail centre.

DESCRIPTION OF PROPOSED DEVELOPMENT

4. The application seeks planning permission for the change of use of two vacant buildings – nos. 169 and 171 Chorley Road. The proposed development would involve the internal refurbishment and amalgamation of the two units at ground level. This would facilitate the provision of a funeral directors comprising a reception area, arrangement room, offices, chapel and kitchen. External alterations would involve the insertion of new windows and the removal of an existing entrance door and its replacement with a new window unit and stonework.

5. The proposed development would also involve the internal reconfiguration of the first floor of both properties in order to facilitate the provision of 3no. 1-bedroom residential flats each comprising a lounge, kitchen and en-suite bathroom. Access to the flats would be gained via an entrance which would front Chorley Road.
6. The submitted plans show that an approximately 5.6m high freestanding flag pole would be installed within the grounds of the building alongside its south east elevation. However, planning permission for this is not being sought as consent for flag poles is required under the advertisement consent regime.

REPRESENTATIONS

7. Two representations have been received citing the following grounds of objection:
 - Parking problems in the immediate locality
 - Insufficient off-road car parking provision

CONSULTATIONS

8. **Adlington Town Council** – Confirmed that they object to the proposed development for the following reasons:
 - There is no provision for the disposal of waste.
 - Vehicular access is very limited.
 - Access to the site is via an unmade road which is unsuitable for vans.
 - A flagpole is shown on the proposed plans, however, no details regarding what type of flag this is have been provided.
 - The flag would be a trip hazard.
 - The entrance to the rear of the site leads into a kitchen which would be unsuitable for this type of business.
9. **Chorley Council's Environmental Health Officer** – Confirmed that he has no objections to the proposed development and stated that the likelihood of statutory noise nuisance being caused to neighbours would be low.
10. **Lancashire Highway Services (LCC Highways)** – Stated that they object to the proposed development on the basis that the scheme does not involve any provision for parking, the site is located in an area with few parking facilities and the alleyway adjacent to the site cannot be relied upon to provide off-road car parking spaces.

PLANNING CONSIDERATIONS

Principle of the development

11. Paragraph 80 of The National Planning Policy Framework (The Framework) states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity taking into account both local business needs and wider opportunities for development.
12. Policy EP7 of the Chorley Local Plan 2012-2026 states that the following criteria apply for change of use and development in District and Local Centres:
 - a) Planning permission will be granted for A1, A2, A3, and A4 uses which support the role and function of District and Local Centres.
 - b) A5 uses (hot food takeaways) will be permitted where the proposal would not adversely impact, either individually or cumulatively, on the function, vitality and viability of the centre.
 - c) Planning permission will be not be granted for non-retail uses (including the loss of A1 use) 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. This will need to be demonstrated through an active 12-month marketing process showing that the property has

been offered for sale on the open market at a realistic price and that no reasonable offers have been refused.

13. It also states that the provision of flats on the upper floors of the building will be encouraged but this will not apply where the applicant can demonstrate that the whole building will be fully utilised for retail/commercial purposes.
14. The application site is in the Adlington Local Centre. It is considered that by bringing back into use currently vacant buildings and by allowing a commercial use across the whole ground floor, the proposed development would support the role and function of the local centre.
15. The proposed development would also involve the provision of 3no. residential first floor flats. Flats above commercial units in district centres are encouraged by policy at both a national and local level as they add to the vibrancy of an area and are an important source of housing. This is reflected in permitted development rights that allow two flats to be created above shops without planning permission. This would be a fallback position available to the applicant above the post office.
16. It is therefore, considered that the principle of the proposed development is acceptable, subject to other material planning considerations.

Impact on the amenity of neighbouring occupiers

17. Paragraph 127 of the Framework states that planning decisions should ensure that developments create places that are safe, inclusive and accessible which promote health and well-being with a high standard of amenity, for existing and future users.
18. Policy BNE1 of the Chorley Local Plan 2012-2026 states that planning permission will be granted for new development, including extensions, conversions and free-standing structures, provided that, the development would not cause harm to any neighbouring property by virtue of overlooking, overshadowing or by creating overbearing impacts.
19. The immediate locality contains a range of non-residential uses located in the Adlington Local Centre and there are several residential properties directly to the north west of the site. Part of the application premises previously accommodated a post office and it is not considered that the proposed funeral directors (or another use also falling within Use Class A1) would have a significantly greater or more adverse impact on neighbouring amenity than the previous use.
20. Given that the current lawful use of no. 169 Chorley Road is as a residential property, it is not considered that there would be any greater impact on the amenity of neighbouring occupiers as a result of the provision of the 3no. residential first floor flats. The detached residential property 'Parkside' is located approximately 21m to the north east of the application site, and given that the rear elevation of the building subject of the application already contains two first floor windows which serve habitable rooms in the form of bedrooms, it is not considered that there would be any greater impact upon the levels of amenity currently enjoyed by the occupiers of this neighbouring property.
21. The application form states that the opening hours of the proposed funeral directors would be 9am to 6pm Monday to Friday and 9am to 1pm on Saturdays, however, it would not be necessary to restrict the opening hours of the business to these times, given that the proposed use would be more low key than the previous use as a post office.
22. Paragraph 55 of The Framework states that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. The proposed funeral directors would sit below 3no. residential flats and given that it would be classed as a retail use, which would generate customer visits and associated noise and disturbance, it is considered necessary to impose a planning condition to restrict the opening hours in order

to safeguard the amenity of the future occupiers of the flats and also the neighbouring residential property at no. 167 Chorley Road.

23. A condition would allow the funeral directors to open on weekdays from 8am to 7pm and from 9am to 5pm on Saturdays and Sundays. It is considered that these opening hours would safeguard the amenities of local residents and would be opening hours typically associated with a retail use in this type of location.

Design and impact on the character of the area

24. Policy BNE1 of the Chorley Local Plan 2012 – 2026 states that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that the proposal does not have a significantly detrimental impact on the surrounding area by virtue of its density, siting, layout, building to plot ratio, height, scale and massing, design, orientation and use of materials.
25. The proposed development would involve some relatively minor and unobtrusive alterations to the external façade and principal elevation of the existing building. These alterations would involve the insertion of new windows and doors at ground and first floor level. A roller shutter door located within the single storey outrigger which projects from the south eastern gable end wall of no. 171 Chorley Road would be partly blocked up from ground level by new stonework and a new window unit would also be inserted.
26. It is considered that these changes would reflect the relatively mixed context of the immediate locality where neighbouring buildings accommodate a range of uses and display a variety of external frontages. Whilst the proposed development would be visible within the streetscene, it is considered that it would improve and make a positive contribution to the visual amenity of the immediate locality, by bringing back into use currently vacant premises.

Traffic and transport

27. Paragraph 109 of the Framework states development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.
28. Policy BNE1 of the Chorley Local Plan 2012-2026 states that developments must not cause severe residual cumulative highways impact or prejudice highway safety, pedestrian safety, the free flow of traffic, or reduce the number of on-site parking spaces.
29. Policy ST4 of the Chorley Local Plan 2012-2026 requires that proposals for development need to make parking provision in accordance with the standards set out in Appendix A of the Local Plan. Appendix A identifies the Council's minimum parking standards for non-food retail business (Use Class A1) in all other areas outside Chorley Town Centre as being 1 space per 20sqm of public floorspace. The proposed flats would also require the provision of one space per flat.
30. Policy ST4 does provide some flexibility in the parking standards and locations that are considered to be more sustainable and well served by public transport may be considered appropriate for lower levels of provision.
31. The site does not contain any parking provision and the application does not propose any. It is also noted that LCC Highways object to the proposed development on the basis that the site is located in an area with few public parking facilities with only one public car park located at Harding Street. They state that this has limited capacity which would not be sufficient for the proposed change of use which would likely require off-road parking spaces for hearses which would be parked for long periods of time. They also state that the alleyway to the south east of the site cannot be relied upon to accommodate parking which would be associated with the proposed development and any parking there would potentially obstruct access to the residential properties to the rear of the site.
32. In terms of the funeral directors proposed, it is noted that the application building was previously used as a post office that would have generated traffic in its own right. In this

sense, the funeral directors now proposed is considered to be more low key and very likely to result in fewer visitors to the unit. Any impact on highways in the local area would be less than the previous situation and would not, therefore, be unacceptable. The Transport Statement submitted in conjunction with the application states that there would be space at the rear of the site, to provide off-road parking for one funeral vehicle. It states that the company does not own their own funeral vehicles but hires them and thus any vehicles would only be parked for limited periods of time on the day of a funeral. The level of parking generated would be less than that generated by a post office.

33. In relation to the proposed flats, given that the application site already contains a residential property at no. 169 Chorley Road comprising 3no. bedrooms and first floor living accommodation at no. 171 Chorley Road comprising 3no. bedrooms, the provision of 3no. 1-bedroom flats would result in a net reduction in the number of bedrooms and it is considered there would be little traffic in the vicinity of the site as a result of the proposed flats.
34. The fall-back position given by permitted development rights as previously stated, would also allow 2no. flats to be created above the post office without permission, so that three dwellings (including the existing property at no. 169 Chorley Road) could be created without planning permission. It is not considered that the 3no. 1 bedroom flats now proposed would have a greater impact in terms of highway safety and parking than that which could be created under permitted development rights. This is given significant weight in the planning balance.
35. Whilst it is acknowledged that there is limited off-street car parking availability within the immediate area, the building is positioned within a sustainable location in the Adlington Local Centre which benefits from local taxi ranks, local public transport networks and a nearby public car park. It is not therefore considered that the proposed development would prejudice highway or pedestrian safety.

Other matters

36. Adlington Town Council objects to the proposed development on the basis that there wouldn't be provision for the disposal of waste including clinical waste. However, it is considered that there is ample space in the yard to the rear of the application building to accommodate waste disposal facilities including bins. The applicant has confirmed that the proposed use would not generate any clinical waste given that embalming and other such procedures which result in clinical waste would all take place at other premises under the company's ownership. Adlington Town Council also states that an entrance to the funeral directors which would lead to a kitchen would be unsuitable. However, the main customer entrance would be to the front of the building facing Chorley Road, and the internal layout of the premises is something for the owners of the business to determine.

CONCLUSION

37. The proposed development would not have an unacceptable adverse impact on the character and appearance of the existing site or the surrounding area, but would add to the vitality of the district local centre. It would not cause any significant harm to the amenity of neighbouring residents or result in an unacceptable impact on highway safety and the residual cumulative impact on the road network would not be severe. It is, therefore, considered that the development accords with the National Planning Policy Framework and policy BNE1 of the Chorley Local Plan 2012 – 2026. Consequently, it is recommended that the application is approved.

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: 00/00927/FUL **Decision:** PERFPP **Decision Date:** 4 January 2001
Description: Retrospective application for alterations to building frontage associated with extension of existing shop into adjacent shop 171A,

Ref: 87/00728/ADV **Decision:** PERFPP **Decision Date:** 10 November 1987
Description: Display of illuminated advertisement sign

Ref: 87/00605/FUL **Decision:** PERFPP **Decision Date:** 17 September 1987
Description: New shop front

Ref: 79/00270/FUL **Decision:** WDN **Decision Date:** 10 May 1979
Description: Two houses/garages (Outline)

Ref: 78/01184/FUL **Decision:** REFFPP **Decision Date:** 12 February 1979
Description: Single storey stores and office building

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 external facing materials, detailed on the approved plans, shall be used and no others substituted unless alternatives are first submitted to and agreed in writing by the Local Planning Authority, when the development shall then be carried out in accordance with the alternatives approved.

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

3. The development hereby permitted shall be carried out in accordance with the approved plans below:

Title	Plan Ref	Received On
Location Plan	N/A	21 November 2018
Proposed Floorplans	2411-03	21 November 2018
Proposed Site Plan	N/A	21 November 2018
Proposed Elevations	2411-04	21 November 2018

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

4. The ground floor retail use (Use Class A1) hereby permitted as shown on plan ref: 2411-03 shall only open during the following hours:

- o Monday to Friday inclusive - 8am to 7pm
- o Saturday and Sunday - 9am to 5pm

Reason: To safeguard the amenities of local residents.