

## **APPLICATION REPORT – 22/00694/FUL**

**Validation Date: 20 June 2022**

**Ward: Chorley East**

**Type of Application: Full Planning**

**Proposal: Conversion of single dwellinghouse to 3no. flats**

**Location: 105 Eaves Lane Chorley PR6 0ST**

**Case Officer: Amy Aspinall**

**Applicant: Mr Miller**

**Agent: Tim Brown Ashton Design**

**Consultation expiry: 24 August 2022**

**Decision due by: 11 November 2022 (Extension of time agreed)**

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### **RECOMMENDATION**

1. It is recommended that planning permission is granted, subject to conditions and a s106 legal agreement to secure a financial contribution towards new provision for children/young people in the ward.

### **SITE DESCRIPTION**

2. The application site is comprised of a single dwellinghouse located at the junction of Eaves Lane and Seymour Street. The immediate area is predominantly residential in character. The site is located within the settlement boundary of Chorley, as defined by the Chorley Local Plan Policies Map and there are two district local centres within walking distance of the site, situated on Eaves Lane and Steeley Lane respectively.

### **DESCRIPTION OF PROPOSED DEVELOPMENT**

3. The application seeks planning permission for the conversion of a single dwellinghouse to 3no. flats

### **REPRESENTATIONS**

4. No representations have been received.

### **CONSULTATIONS**

5. Lancashire County Council Highway Services – Have advised that they have no objections. Cycle storage is recommended.

6. CIL Officers – Have advised that the development is subject to the CIL Charge for Apartments as listed in Chorley Council's CIL Charging Schedule.

## **PLANNING CONSIDERATIONS**

### Principle of development

7. The application site is located within the settlement boundary of Chorley, as defined by the Chorley Local Plan Policies Map.

8. Policy 1 of the Central Lancashire Core Strategy seeks to focus growth and investment in a number of areas including the Key Service Centre of Chorley Town.

9. Policy V2 of the Chorley Local Plan provides 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, subject to material planning considerations and the other Policies and Proposals within this Plan.

10. The National Planning Policy Framework (the Framework) at paragraph 69 identifies that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly.

11. The Framework advises that to promote the development of a good mix of sites local planning authorities should, among other things, support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes.

12. The proposal is acceptable in principle in planning policy terms, subject to other material considerations as set out in this report.

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

13. Policy 17 of the Core Strategy seeks to ensure that the design of new buildings takes into account the character and appearance of the local area, including among other things, linking in with surrounding movement patterns and not prejudicing the development of neighbouring land; and protecting existing landscape features and natural assets.

14. Policy BNE1 (Design Criteria for New Development) of the Chorley Local Plan 2012 -2026 stipulates that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided 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; and that the layout, design and landscaping of all elements of the proposal, including any internal roads, car parking, footpaths and open spaces, are of a high quality and respect the character of the site and local area.

15. As no alterations are proposed as part of the application, there would be little discernible difference in the streetscene.

### Impact on neighbouring amenity

16. Policy BNE1 (Design Criteria for New Development) of the Chorley Local Plan 2012 -2026 stipulates that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that, where relevant to the development the proposal would not cause harm to any neighbouring property by virtue of overlooking, overshadowing, or by creating an overbearing impact; and that the proposal would not cause an unacceptable degree of noise disturbance to surrounding land uses.

17. The proposal involves the conversion of the existing large dwellinghouse to 3no self-contained flats. No external alterations are proposed, and existing windows would be utilised. Given that the existing dwellinghouse has 5no. bedrooms and had a lawful use for independent living of the elderly as a single dwellinghouse, but not as a care home, it is not considered that the proposed scheme for 3no. self-contained two bedroomed flats would result in any significant

intensification to give rise to adverse amenity impacts or noise and disturbance to neighbouring residential properties.

18. Whilst limited private amenity space would be provided as part of the proposal, this is the case for the current dwellinghouse. It is noted, however, that sufficient space for bin storage for residents would be provided, and a small enclosed area to serve Unit one would also be provided. It is considered that future occupiers would be afforded acceptable living conditions.

19. The proposal is considered to accord with Chorley Local Plan Policy BNE1 in respect of amenity considerations.

#### Highway safety

20. Policy BNE1 (Design Criteria for New Development) of the Chorley Local Plan 2012 -2026 stipulates that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that the residual cumulative highways impact of the development is not severe and it would not prejudice highway safety, pedestrian safety, the free flow of traffic, and would not reduce the number of on-site parking spaces to below the standards stated in Site Allocations Policy – Parking Standards, unless there are other material considerations which justify the reduction.

21. The application does not seek to provide any on-site parking provision. The site is, however, situated in a sustainable location where public transport options are available, with local services and amenities nearby. Lancashire County Council have been consulted on the application and advise that the proposed development would not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site and that no off-street car parking is acceptable. LCC Highway Services do, however, request that secure and covered cycle storage is provided at a ratio of one secure cycle space for each one bedroom. The site does not have sufficient outdoor space to accommodate cycle storage as the outdoor area is taken up by bin storage. Whilst the lack of cycle storage provision is a shortfall of the scheme, should occupiers own a cycle, they would be able to store it inside the flat and it is not considered that a refusal could be justified on these grounds given the sustainable location and small-scale nature of the proposal.

#### Public open space

22. Policy HS4 of the Chorley Local Plan 2012 – 2026 requires public open space contributions for new dwellings to be provided in order to overcome the harm of developments being implemented without facilities being provided.

23. Until recently the National Planning Practice Guidance (NPPG) previously set out a threshold for tariff-style contributions, stating that planning obligations should not be sought from developments of 10 or less dwellings and which have a maximum combined floorspace of no more than 1000 square metres. This guidance has been removed from the latest NPPG and has been replaced with a requirement that planning obligations for affordable housing should only be sought for residential developments that are major developments.

24. Specifically, the guidance was derived from the order of the Court of Appeal dated 13 May 2016, which gave legal effect to the policy set out in the Written Ministerial Statement of 28 November 2014 which has not been withdrawn and which should, therefore, clearly still be taken into account as a material consideration in the assessment of planning applications.

25. To this end whilst it would normally be inappropriate to require any affordable housing or social infrastructure contributions on sites below the thresholds stated, local circumstances may justify lower (or no) thresholds as an exception to the national policy. It would then be a matter for the decision-maker to decide how much weight to give to lower thresholds justified by local circumstances.

26. Consequently, the Council must determine what lower thresholds are appropriate based on local circumstances as an exception to national policies and how much weight to give to the

benefit of requiring a payment for 10, or fewer, dwellings. The Council has agreed to only seek contributions towards provision for children/young people on developments of 10 dwellings or less.

27. In respect of provision for children/young people, Local Plan Policy HS4A sets a standard of 0.08 hectares per 1,000 population. There is currently a deficit of provision in Chorley East in relation to this standard and, therefore, a contribution towards new provision in the ward is required from this development. The amount required is £134 per dwelling (total = £402) and this would go towards Tatton Recreation Ground Play Area (site ref 1330.1). This would be secured by way of a s106 legal agreement in order to comply with Chorley Local Plan policy HS4.

#### Community Infrastructure Levy

28. The Chorley CIL Infrastructure Charging Schedule provides a specific amount for development. The CIL Charging Schedule was adopted on 16 July 2013 and charging commenced on 1 September 2013. The proposed development would be subject to the charge for apartments in accordance with the Council's Charging Schedule.

#### **CONCLUSION**

29. The application site is situated within a sustainable area which is identified for growth and investment under Core Strategy policy 1 and would assist with the delivery of housing. There would be no harmful impacts on the character and appearance of the area, nor would the proposal adversely affect neighbouring residential amenity or the living conditions of future occupiers. Although no car parking or cycle parking provision would be provided as part of the proposed development, the site is accessible to local services and amenities and would not be detrimental to highway safety, pedestrian safety, or the free flow of traffic in the vicinity. There is currently a deficit provision for children/young people in Chorley East and, therefore, a contribution of £402 towards new provision in the ward is required and would be secured by way of a s106 legal agreement.

30. The application is recommended for approval, subject to conditions and a s106 legal agreement.

#### **RELEVANT HISTORY OF THE SITE**

**Ref:** 85/00198/FUL      **Decision:** PERFPP      **Decision Date:** 21 May 1985  
**Description:** Conversion and change of use of existing shop and dwelling to staff supported group home for the elderly

**Ref:** 78/01221/ADV      **Decision:** PERADV      **Decision Date:** 12 February 1979  
**Description:** Illuminated shop sign

**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.

#### 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:

<b>Title</b>	<b>Plan Ref</b>	<b>Received On</b>
General Arrangement	2203/01	20 June 2022

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