

APPLICATION REPORT – 23/00893/FUL

Validation Date: 20 October 2023

Ward: Chorley North West

Type of Application: Full Planning

Proposal: Change of use of no. 48 Cunliffe Street across the second floor to 5no. apartments (Use Class C3)

Location: Boro Corn Mill 48 Cunliffe Street Chorley

Case Officer: Chris Smith

Applicant: Mr Stephen Fairclough

Agent: Mr David Perry

Consultation expiry: 15 November 2023

Decision due by: 19 January 2024

RECOMMENDATION

1. It is recommended that planning permission is granted, subject to conditions and a S106 legal agreement to secure a financial contribution of £670.00 towards the provision of equipped play area for children/young people.

SITE DESCRIPTION

2. The application site is located within the settlement area of Chorley as defined by the Chorley Local Plan 2012 -2026 on the corner of Cunliffe Street and Clarence Street approximately 150m south east of the town centre boundary. The site is a three-storey red brick building, and the immediate locality is a high-density urban environment characterised by a variety of commercial units located to the south and east of the site and terraced residential properties to the west and east.
3. The rear part of the building accessed from Clarence Street contains a lower two storey element which is set down from the main three storey part of the building which fronts Cunliffe Street. This part of the building is currently being utilised by a window fitting company (Goldseal UPVC).

DESCRIPTION OF PROPOSED DEVELOPMENT

4. The application seeks planning permission for the change of use of the second floor of no. 48 Cunliffe Street to 5no. residential apartments along with an associated secure screened bin and cycle storage facilities. There would be 2no. one-bedroom apartments and 3no. two-bedroom apartments.

REPRESENTATIONS

5. No representations have been received.

CONSULTATIONS

6. Lancashire Highway Services (LCC Highways) – Have stated that they do not have any objections to the proposed development and are of the opinion that it would not have a significant impact on highway safety, capacity, or amenity in the immediate vicinity of the site.

PLANNING CONSIDERATIONS

Principle of the development

7. The National Planning Policy Framework (The Framework) states that plans and decisions should apply a presumption in favour of sustainable development and for decision making this means approving development proposals that accord with an up-to-date development plan without delay, or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed.
8. The application site is located within the core settlement area of Chorley. Policy V2 of 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.
9. Also weighing in favour of the proposal is the great weight attached to the benefits of using suitable sites within existing settlements for homes, as set out in the Framework. In addition, the proposed development would bring back into use a part of the building, which is currently vacant and at risk of becoming dilapidated and falling into disrepair and therefore, there are visual amenity reasons for bringing this part of the building back into use.
10. The principle of the proposed development is therefore, considered to be acceptable, subject to material planning considerations.

Design and impact on the character of the area

11. 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 (amongst other things):

“a) 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.
c) 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;”
12. Proposed external elevational alterations required in order to facilitate the proposed development would be limited to the installation of a new window at second floor level within the east elevation facing Clarence Street. It is not considered, therefore, that the proposed development would significantly or adversely alter the appearance of the building which would remain in keeping with the character of the immediate locality.
13. Overall, the proposed development is an appropriate design response to the site and would not have a detrimental impact on the surrounding area. The development, therefore, complies with policy BNE1 of the Chorley Local Plan 2012 – 2026 with regards to the design.

Impact on the amenity of neighbouring occupiers

14. 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 (amongst other things):

“b) The development would not cause harm to any neighbouring property by virtue of overlooking, overshadowing, or overbearing;”

15. The new window would face directly towards the neighbouring residential property to the east of the site at no. 50 Cunliffe Street. However, it would face towards the blank side elevation of this property and therefore, the proposed development would not have an unacceptable adverse impact on the amenity of the occupiers of this property as a result of privacy loss.
16. There are no neighbouring residential properties to the north of the site on the opposite side of Cunliffe Street and there would be no windows within the side (west) elevation of the resultant building. While there would be several habitable room windows within the south facing elevation of the resultant building, to the south the site is bounded by an industrial unit and therefore the windows would not face towards any residential properties.
17. The proposal complies with policy BNE1 of the Local Plan with regards to amenity.

Parking provision and highway safety

18. 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.
19. 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 residential (Use Class C3) in all other areas outside Chorley Town Centre as being 1 space per bedroom.
20. 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.
21. The site does not contain any parking provision and the application does not propose any. However, LCC Highways have stated that they do not have any objections to the proposed development and are of the opinion that it would not have a significant impact on highway safety, capacity, or amenity of the site.
22. It is also acknowledged that there is limited off-street car parking availability within the immediate area. However, the site is within acceptable walking distance of Chorley Town Centre and has good accessibility in relation to employment, retail, schools, health centres, hospitals, police stations and local amenities. In addition, the site is approximately 170m away from Chorley's main central bus station and 160m away from Chorley railway station. Despite the fact that the application makes no provision for off-street parking, given the sustainable location of the site, the proposed development is considered acceptable.

Public open space

23. Policy HS4A and HS4B of the Chorley Local Plan 2012 – 2026 - Open Space Requirements in New Housing Developments explains that all new housing developments will be required to make provision for open space and recreation facilities, where there are identified local deficiencies in the quantity, accessibility, or quality and/or value of open space and recreation facilities. The requirements for the proposed development are as follows:
 24. The Council does not require contributions from developments of fewer than 11 dwellings in respect amenity greenspace, parks and gardens, natural and semi-natural greenspace, allotments and playing pitches. No contributions are, therefore, required in this case for these standards.

25. With regards to provision for children and young people, there is currently a balanced provision in Chorley North West in relation to this standard and a contribution towards new provision in the ward is therefore not required from this development. However, there are areas of provision for children/young people within the accessibility catchment that are identified as being low quality in the Open Space Assessment Report (February 2019) (sites 1330.1& 1330.2 Tatton Recreation Ground Playground). A contribution towards improvements to these sites is therefore required from this development. The amount required is £134 per dwelling.

26. The total financial contribution required from this development is as follows:

| | |
|----------------------|---------------|
| Amenity greenspace | = £0 |
| Equipped Play Area | = £670 |
| Parks/Gardens | = £0 |
| Natural/semi-natural | = £0 |
| Allotments | = £0 |
| Playing Pitches | = £0 |
| Total | = £670 |

27. The equipped play area provision could be secured by way of a s106 legal agreement. Subject to securing the above, the proposed development would accord with Chorley Local Plan policies HS4 A and B.

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 will be a chargeable development and the charge is subject to indexation in accordance with the Council's Charging Schedule.

CONCLUSION

29. The proposed development is acceptable in principle and would not have an unacceptable adverse impact on the character and appearance of the existing building or the surrounding area, nor would it cause any significant harm to the amenity of neighbouring residents or highway safety. It is, therefore, considered that the development accords with policy BNE1 of the Chorley Local Plan 2012 – 2026. Consequently, it is recommended that the application is approved subject to conditions.

RELEVANT HISTORY OF THE SITE

Ref: 86/00788/FUL **Decision:** PERFFP **Decision Date:** 2 December 1986
Description: Enlargement of main entrance and improvements to front elevation formation of new reception customers lounge w c's staff room and alterations to staircases

Ref: 07/00416/COU **Decision:** REFFPP **Decision Date:** 6 June 2007
Description: Change of use of part ground floor to form 3No small retail units and alterations to front elevation to form shop fronts

Ref: 09/00273/FUL **Decision:** PERFFP **Decision Date:** 22 June 2009
Description: Change of use of part of ground floor from storage to gym

Ref: 16/00416/FUL **Decision:** PERFFP **Decision Date:** 1 July 2016
Description: Retrospective application for conversion of part of second floor to 2 bed residential flat

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 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 | 1882/100A | 20 October 2023 |
| Proposed Elevations Sheet 1 | 108 | 20 October 2023 |
| Proposed Elevations Sheet 2 | 109 | 20 October 2023 |
| Proposed Ground Floor Layout | 110 | 20 October 2023 |
| Proposed Second Floor Layout | 112 | 20 October 2023 |

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

4. Secured cycle storage for five bicycles in the position identified on proposed site plan (ref: 1882/100A) hereby approved shall be installed and made available in accordance with the approved plan prior to the occupation of any of the dwellings hereby approved; such facilities shall thereafter be permanently retained for the purposes of secure cycle storage (notwithstanding the Town and Country Planning (General Permitted Development) (England) Order 2015).

Reason: To encourage sustainable transport modes.