

## **APPLICATION REPORT – 23/00753/FUL**

**Validation Date: 28 September 2023**

**Ward: Buckshaw And Whittle**

**Type of Application: Full Planning**

**Proposal: Conversion of existing building to 5no. assisted living apartments (Use Class C3)**

**Location: Brothers Residence Lisieux Hall Dawson Lane Whittle-Le-Woods Chorley PR6 7DX**

**Case Officer: Chris Smith**

**Applicant: Mr Graham Minton**

**Agent: Mr Peter Entwistle**

**Consultation expiry: 19 October 2023**

**Decision due by: 16 January 2024**

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### **RECOMMENDATION**

1. It is recommended that planning permission is granted, subject to conditions.

### **SITE DESCRIPTION**

2. The application site is located in the Green Belt as defined by the Chorley Local Plan 2012-2026 within the rural locality of Whittle le Woods. The site contains a single storey rectangular building which sits within a wider site containing several buildings of varied scale and design which are clustered around the grade II listed building Lisieux Hall. Together the buildings form the main site of the charitable service known as Brothers of Charity which provides a wide range of services including supported living, residential, nursing and respite care.
3. Beyond the wider site the immediate locality is predominantly rural in character. To the east the site is flanked by mature trees and beyond this there are flat open fields. Public Right of Way FP4 runs through the western portion of the site along the existing vehicular access to the site from Dawson Lane. Access to the site would be from the existing private road which leads from Dawson Lane to the south.

### **DESCRIPTION OF PROPOSED DEVELOPMENT**

4. The application seeks planning permission for the conversion of the existing building to 5no. assisted living apartments. Each unit would contain 1no. bedroom. Proposed external elevational alterations required in order to facilitate the proposed development would involve the installation of new doors and windows.

### **REPRESENTATIONS**

5. No representations have been received.

## CONSULTATIONS

6. Greater Manchester Ecology Unit (GMEU) – Have stated that it would appear unlikely that bats or birds use the building and there should be no ecological issues with the proposal.
7. 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.
8. Whittle-le-Woods Parish Council – Have stated that they wish to ensure that due consideration is provided to neighbours of the property and that all materials used are in keeping with the established dwelling and area, and that property boundaries are not encroached upon in any way.

## PLANNING CONSIDERATIONS

### Principle of the development in the Green Belt

9. The application site is located within the Green Belt. National guidance on Green Belt is contained in Chapter 13 of the National Planning Policy Framework which states:

*142. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.*

*143. Green Belt serves five purposes:*

- a) to check the unrestricted sprawl of large built-up areas;*
- b) to prevent neighbouring towns merging into one another;*
- c) to assist in safeguarding the countryside from encroachment;*
- d) to preserve the setting and special character of historic towns; and*
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

*152. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.*

*153. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.*

*154. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:*

- a) buildings for agriculture and forestry;*
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;*
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- e) limited infilling in villages;*
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and*
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:  
– not have a greater impact on the openness of the Green Belt than the existing development; or*

*– not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.*

*155. Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:*

*d) the re-use of buildings provided that the buildings are of permanent and substantial construction;*

10. The proposal relates to the re-use of an existing building and so has potential to fall within the remit of exception 155d of the Framework.

*Policy HS9 of the Chorley Local Plan 2012 – 2026 states that that the re-use of existing buildings in the Green Belt will be allowed provided that specific criteria are met:*

*a) The proposal does not have a materially greater impact on the openness of the Green Belt and the purposes of including land in it;*

The proposed development would not increase the size, scale, or height of the existing building and as such the resultant building, would have no greater impact on the openness of the Green Belt than the existing building.

*b) The proposal would not harm the character or quality of the countryside or landscape;*

The proposed development would involve the re-use of an existing building which would utilise an existing access which already serves the building. It is not considered, therefore, that there would be any harmful impacts on the character of the countryside or landscape.

*c) The re-use of the building must not be likely to result in additional farm buildings which would have a harmful effect on the openness of the Green Belt;*

The application site is not a farm.

*d) If an agricultural building, it is not one substantially completed within ten years of the date of the application;*

The existing building is not an agricultural building.

*e) The building is of permanent and substantial construction and capable of conversion without more than 30% reconstruction;*

On a visit of the site, it was observed that the building appeared to be in a reasonably good state of repair from a structural perspective. No reconstruction is proposed as part of the application. It is considered that the building is of permanent and substantial construction and is capable of conversion without more than 30% reconstruction.

*f) The building must be capable of conversion without the need for additions or alterations which would change its existing form and character. Particular attention will be given to curtilage formation which should be drawn tightly around the building footprint and the requirement for outbuildings, which should be minimal;*

The proposed development would not involve any extension to the existing building and the overall form and character of the existing building would be retained. The curtilage would be drawn tightly around the building.

*g) The building must already have, or there exists the capability of creating, a reasonable vehicular access to a public highway that is available for use without creating traffic hazards*

*and without the need for road improvements which would have an undue environmental impact;*

The proposed development would utilise the existing access which services the main dwelling; and adequate on-site parking would be accommodated within the site. There are no objections from LCC Highways and, therefore, the proposal is considered to be acceptable in highway safety terms.

*h) The development would not result in the loss of or damage to any important wildlife habitat or protected species.*

The application is not accompanied by any ecological information, however, the Council's ecological consultants at the Greater Manchester Ecology Unit (GMEU) have assessed the application and stated that based on photographs of the existing building that it would appear unlikely that bats or birds would be using the building and consequently there should be no ecological issues with the proposals. Having regard to the above, it is considered that the nature conservation interests would be sustained, and the proposed conversion would comply with Chorley Local Plan policy BNE9.

11. The proposal is considered to fall within exception 155d of the Framework as not being inappropriate development in the Green Belt and complies with policy HS9 of the Chorley Local Plan 2012-2026 in this regard.

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

12. Policy BNE1 of the Chorley Local Plan 2012 – 2026 states that planning permission will be granted for new development, provided that, where relevant to the development 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.
13. The existing building has a relatively functional and basic design, and it appears somewhat tired and dilapidated as it has been unoccupied for some time. The site in its current state, therefore, is unsightly and suffers a sense of abandonment. It is considered that the proposed development would make a positive contribution to the visual characteristics of the building. The proposal would introduce an active use by way of the proposed apartments, which would subsequently rejuvenate the site.
14. Although some external elevational alterations are required in order to facilitate the conversion of the building, these works would be limited to the insertion of new doors and windows and, therefore, the overall style and form the resultant building would not appear significantly different to the existing building. Consequently, the building would not appear out of place within the context of its surroundings where several similarly designed residential bungalows are already evident immediately to the south of the site.
15. Overall, the proposed development is an appropriate design response to the site and would have a positive impact on the appearance of the site and character of the area in consideration of the present buildings 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

16. Policy BNE1 of the Chorley Local Plan 2012 – 2026 supports proposals for new development provided that there would be no harm to any neighbouring property by virtue of overlooking, overshadowing, or by creating overbearing impacts.
17. The proposed development would be approximately 7.8m to the north of no. 7 Beech Walk and approximately 2m to the north of no.2 Beech Walk. Both buildings are used as residential dormitory units. Given that the external dimensions of the building would not be altered by the proposed development it is not considered that there would be any greater

impacts on the amenity of the occupiers of the neighbouring dormitory units as a result of light loss or overbearing.

18. The front (south facing) elevation of the resultant building would contain a number of habitable room windows to serve bedrooms and living rooms. The windows would not, however, directly face towards any habitable room windows within the neighbouring properties to the south of the site. It is also noted that the existing building has been previously used a residential dormitory and already contains several habitable room windows within its front elevation. It is not considered, therefore, that the proposed development would have a significantly greater or more adverse impact on neighbouring amenity as a result of privacy loss or overlooking.
19. The proposal complies with policy BNE1 of the Local Plan with regards to amenity.

#### Impact on a designated heritage asset

20. The Planning (Listed Buildings and Conservation Areas) Act 1990 (The Act) sets out the primary duty that a Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Great weight and importance is attached to this duty.
21. The National Planning Policy Framework (The Framework) at Chapter 16 deals with conserving and enhancing the historic environment. It sets out that in determining planning applications LPAs should take account of:
  - The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
  - The desirability of new development making a positive contribution to local character and distinctiveness.
22. Paragraph 205 states that when considering the impact of proposals on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be applied. This is irrespective of whether any harm is identified as being substantial, total loss or less than substantial harm to its significance.
23. Paragraph 206 states that any harm or loss of significance to a designated heritage asset (from alteration or destruction or from development within its setting) should require clear and convincing justification.
24. Paragraph 208 states that where a development will lead to less than substantial harm to the significance of the heritage asset, this harm should be weighed against the public benefits of the proposal.
25. The adopted Central Lancashire Core Strategy (2012) policy 16 (Heritage Assets) states: Protect and seek opportunities to enhance the historic environment, heritage assets and their settings by:
  - a) Safeguarding heritage assets from inappropriate development that would cause harm to their significances.
  - b) Supporting development or other initiatives where they protect and enhance the local character, setting, management and historic significance of heritage assets, with particular support for initiatives that will improve any assets that are recognised as being in poor condition, or at risk.
  - c) Identifying and adopting a local list of heritage assets for each Authority.
26. Chorley Local Plan 2012 - 2026 policy BNE8 (Protection and Enhancement of Heritage Assets) states that:
  - a) Applications affecting a Heritage Asset or its setting will be granted where it:
    - i. Is in accordance with the Framework and relevant Historic England guidance;

- ii. Where appropriate, takes full account of the findings and recommendations in the Council's Conservation Area Appraisals and Management Proposals;
- iii. Is accompanied by a satisfactory Heritage Statement (as defined by Chorley Council's advice on Heritage Statements) and;

b) Applications will be granted where they sustain, conserve and, where appropriate, enhance the significance, appearance, character and setting of the heritage asset itself and the surrounding historic environment and where they show consideration for the following:

- i. The conservation of features and elements that contribute to the heritage asset's significance and character. This may include: chimneys, windows and doors, boundary treatments, original roof coverings, earthworks or buried remains, shop fronts or elements of shop fronts in conservation areas, as well as internal features such as fireplaces, plaster cornices, doors, architraves, panelling and any walls in listed buildings;
- ii. The reinstatement of features and elements that contribute to the heritage asset's significance which have been lost or damaged;
- iii. The conservation and, where appropriate, the enhancement of the setting of heritage assets;
- iv. The removal of additions or modifications that are considered harmful to the significance of any heritage asset. This may include the removal of pebbledash, paint from brickwork, non-original style windows, doors, satellite dishes or other equipment;
- v. The use of the Heritage Asset should be compatible with the conservation of its significance. Whilst the original use of a building is usually the most appropriate one it is recognised that continuance of this use is not always possible. Sensitive and creative adaptation to enable an alternative use can be achieved and innovative design solutions will be positively encouraged;
- vi. Historical information discovered during the application process shall be submitted to the Lancashire Historic Environment Record.

27. The policy also states that development involving the demolition or removal of significant heritage assets, or parts thereof, will be granted only in exceptional circumstances that have been clearly and convincingly demonstrated to be in accordance with the requirements of the Framework.
28. The key considerations in respect of the impact of the proposal on the heritage asset are:
  - Whether the proposed development will harm the significance of the setting of the listed building.

### **Assessment**

29. Lisieux Hall, known as Crooke Hall or New Crooke Hall until the early/mid C20, is a large C17 house in substantial private grounds which has been largely refaced in the early C19, resulting in a very elegant Georgian manor house. Its significance lies within its historic and aesthetic values. However, it is considered that the cumulative effect of unsympathetic extensions and surrounding development has diminished the significance somewhat, including that of the setting.
30. The proposed development would involve the conversion of the existing building into 5no. apartments and whilst the details submitted with the application are relatively limited the alterations to the building are largely internal although there would be some door and window alterations. The existing building is unused and in a deteriorating condition and, therefore, the proposed change of use is welcome as it would warrant future maintenance of the building and it is considered that the proposed use is consistent with the nature of the facility and therefore is well justified.
31. Overall, the submission documents are limited, however, it is considered that the level of information is adequate to conclude that the proposed scheme would meet the statutory test to 'preserve or enhance' and would cause no further discernible harm to the setting of Lisieux Hall and, therefore, it is considered that the application meets the requirements of Chapter 16 of the NPPF and would be in accordance with Policies BNE1(e) and BNE8 of the Chorley Local Plan 2012-2026 and Policy 16 of the Central Lancashire Core Strategy.

#### Parking provision and highway safety

32. 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.
33. 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 which sets out the Council's minimum parking standards for 1-bedroom dwellinghouses (Use Class C3) in all other areas outside Chorley Town Centre as being 1 space per bedroom and, therefore, the proposed flats would each require the provision of 1no. car parking space.
34. The submitted site plan shows that a total of 5no. car parking spaces can be provided. The proposed development would, therefore, be in accordance with the parking standards specified in policy ST4 of the Chorley Local Plan 2012 – 2026. Furthermore, 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.
35. It is considered that the proposed development is acceptable from a highway safety perspective.

#### Public open space

36. 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.
37. Normally financial contributions towards the cost of play space would be required for a development of this size in this location. However, the proposal is not considered to be open market housing, but rather specialist accommodation, primarily for adults who need support with their mental health/learning disabilities to help sustain a tenancy long term in the community. Additionally, the site is surrounded by open space. It is not, therefore, considered to be a type of development that is required to make such a contribution.

#### Community Infrastructure Levy

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

#### Other matters

39. Public Right of Way FP4 runs through the western portion of the site along the existing access to the site from Dawson Lane. However, this would not be obstructed by the proposed development and the existing arrangements would not be altered by the proposed development.

### **CONCLUSION**

40. The proposed development would not be inappropriate development in the Green Belt. It would not have an unacceptable adverse impact on the character and appearance of the existing site and the surrounding area or the amenity of neighbouring residents. Nor would it cause any significant harm to ecology or highway safety and it would not harm the significance of the identified heritage asset. The statutory duty to preserve is met and the application accords with the Framework at Chapter 16, Central Lancashire Core Strategy policy 16, policies HS9, BNE1, BNE8 and BNE9 of the Chorley Local Plan 2012 – 2026. Consequently, it is recommended that the application is approved, subject to conditions.

**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. Prior to any works taking place, the following details shall be submitted to and approved in writing by the Local Planning Authority:

- a) Details of the colour, form and texture of all external facing materials to the proposed dwellings.
- b) Details of the colour, form and texture of all hard ground- surfacing materials.
- c) Location, design and materials of all fences, walls and other boundary treatments.

The development thereafter shall be completed in accordance with the approved details. Prior to the first occupation of the dwelling hereby permitted all fences and walls shown in the approved details to bound its plot shall have been erected in conformity with the approved details.

*Reason: In the interests of the visual amenities and character of the area and to provide reasonable standards of privacy to residents.*

3. 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>
Site Location Plan	SK-01	17 November 2023
Site Plan	PCE-Brothers Of Charity-June-23-Site P1	17 November 2023
Proposed Floorplans and Elevations	PCE-Brothers Of Charity-June-23-Pro	8 September 2023

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