

APPLICATION REPORT – 23/00869/PIP

Validation Date: 10 November 2023

Ward: Chorley North West

Type of Application: Permission In Principle

Proposal: Permission in principle application for a minimum of 4no. dwellings and a maximum of 4no. dwellings

Location: Apple Electrics Ltd Black Horse Street Chorley PR7 2HY

Case Officer: Daniel Power

Applicant: Gradus Homes Ltd

Agent: Mr Tony Lawson

Consultation expiry: 30 November 2023

Decision due by: 20 February 2024

RECOMMENDATION

1. It is recommended that permission in principle is granted subject to conditions.

SITE DESCRIPTION

2. The application site is located within settlement area of Chorley as defined by policy V2 within the Chorley Local Plan 2012 – 2026 and is located to the north eastern corner of Black Horse Street, to the rear of Pall Mall.
3. The site currently has several single storey buildings, consisting of timber sheds, brick buildings all served from an access off Black Horse Street. The character of the area is residential to the west, consisting of two storey residential properties. To the east there are two storey commercial/retail, with flats above.

DESCRIPTION OF PROPOSED DEVELOPMENT

4. This application seeks permission in principle for a minimum and maximum of 4 no. dwellings. The National Planning Practice Guidance (NPPG) on Permission in Principle, states that *“the scope of permission in principle is limited to location, land use and amount of development. Issues relevant to these ‘in principle’ matters should be considered at the permission in principle stage. Other matters should be considered at the technical details consent stage. In addition, local authorities cannot list the information they require for applications for permission in principle in the same way they can for applications for planning permission.”*
5. The permission in principle process came into force on 15 April 2017 with the government intention of simplifying the planning process for developers, and to give developers more certainty over whether a site is suitable for development ahead of going to the expense of working up more detailed proposals necessary to obtain full planning permission. The

government expected this to encourage new development and increase the amount of land available to build on, thereby helping to boost housing supply. While the council has been clear that it prefers a locally-led planning process, as the local planning authority, the current NPPG has to be followed.

REPRESENTATIONS

6. Two letters of objections have been received and can be summarised as follows:
 - This right of way was tested in the county court. This land locked parcel of land to be used for residential purposes as this moment of vehicles from my land to allow access would be unworkable.
 - The proposal would restrict access to the rear of properties along Pall Mall.
 - The proposal would have a harmful impact to the privacy of neighbouring dwellings.

CONSULTATIONS

7. Parish Council – No comments have been received.
8. CIL Officers - This development will be CIL Liable on approval of the technical details.

PLANNING CONSIDERATIONS

9. The National Planning Practice Guidance (NPPG) on Permission in Principle, states that *“the scope of permission in principle is limited to location, land use and amount of development. Issues relevant to these ‘in principle’ matters should be considered at the permission in principle stage. Other matters should be considered at the technical details consent stage. In addition, local authorities cannot list the information they require for applications for permission in principle in the same way they can for applications for planning permission.”*
10. Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that if regard is to be had to the development plan for any determination then that determination must be made in accordance with the plan unless material considerations indicate otherwise.
11. The Development Plan comprises the adopted Central Lancashire Core Strategy (2012) and the adopted Chorley Local Plan 2012- 2026.
12. The proposal is in Chorley Town, which Core Strategy Policy 1 defines as a Key Service Centre, where growth and investment, including housing growth, should be concentrated.
13. The application site is located within the Settlement Areas of Chorley as allocated within policy V2. Policy V2 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, subject to material planning considerations and the other Policies and Proposals within this Plan.
14. The application proposes 4 no. dwellings within an established residential area, which could reflect the density of the locality, therefore the principle of the development is considered acceptable.
15. The application would result in the loss of an employment site, as the buildings have been used for a joinery business in the past. Policy 10 of the Central Lancashire Core Strategy seeks to protect existing and last use employment sites. The is located largely within a residential area, albeit with some commercial retail to the east. The building is small scale and in poor condition, with access through the residential area. While smaller employment sites are important to the variety of employment sites within the district, given the above limitation and location of the building, it is considered the loss of the employment use is acceptable as the alternative residential use would be more suitable in this location.

Other matters

16. Objections have been received relating to retaining access to properties along Pall Mall and a recent County Court decision. This is a civil matter and is not a consideration in the determination of this application.
17. Objections have been received relating to the impact to privacy of neighbouring dwellings. This is not a matter that falls within the scope of consideration of the permission in principle consent stage. This would be addressed as part of the technical details consent, which is the second stage of the process.

CONCLUSION

18. The principle of erecting 4 no. dwellings at the application site is considered acceptable in terms of location, land use and the amount of development. It is, therefore, recommended that permission in principle is granted.
19. National Planning Practice Guidance (PPG) advises that it is not possible for conditions to be attached to a grant of permission in principle and its terms may only include the site location, the type and amount of development. Nonetheless, the PPG indicates that, unless some other period is justified, where permission in principle is granted by application, the default duration of that permission is three years. This will be added as an informative note to any grant of permission for this development.

RELEVANT HISTORY OF THE SITE

Ref: 15/01055/CLEUD **Decision:** PEREUD **Decision Date:** 8 December 2015

Description: Application for a Certificate of Lawfulness for an existing garage, warehouse stores and workshop

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.