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| **Report to be read in conjunction with the Decision Notice.** | | | | | | | | | | | | | | |
| **Signed:** | **Officer:** | **WH** | | | | **Date:** | | **07-08-23** | | **Manager:** | | **LH** | **Date:** | **16/8/23** |
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| **Application Ref:** | | | | 2023/0547 | | | | | | |  | | | |
| **Date Inspected:** | | | | 17-07-23 | | | **Site Notice:** | | 17-07-23 | |
| **Officer:** | | | | Will Hopcroft | | | | | | |
| **DELEGATED ITEM FILE REPORT:** | | | | | | | | | | | **APPROVAL** | | | |
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| **Development Description:** | | | | | Permission in principle application for change of use of children's nursery to self-contained flats (4-9 residential units) | | | | | | | | | |
| **Site Address/Location:** | | | | | Rossendale House, York Street, Clitheroe | | | | | | | | | |
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| **CONSULTATIONS:** | | | | | **Parish/Town Council** | | | | | | | | | |
| No response. | | | | | | | | | | | | | | |
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| **CONSULTATIONS:** | | | | | **Highways/Water Authority/Other Bodies** | | | | | | | | | |
| **LCC Highways:** | | | | | No objection. | | | | | | | | | |
| **Environmental Health:** | | | | | Conditions proposed. As this is a Permission in Principle, no conditions can be imposed to this consent and these matters would need to be dealt with at Technical Details stage. | | | | | | | | | |
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| **CONSULTATIONS:** | | | | | **Additional Representations.** | | | | | | | | | |
| 2no. letters of objection were received, raising the following issues:   * Objection on the grounds of losing a community asset when affordable housing is already plentiful in the area. * Would add to on-street parking at the bottom end of York Street. | | | | | | | | | | | | | | |
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| **RELEVANT POLICIES AND SITE PLANNING HISTORY:** | | | | | | | | | | | | | | |
| **Ribble Valley Core Strategy:**  Key Statement DS1: Development Strategy  Key Statement DS2: Sustainable Development  Key Statement EN5: Heritage Assets  Key Statement EC2: Development of Retail, Shops and Community Facilities  Policy DMG2: Strategic Considerations  Planning (Listed Buildings and Conservation Areas) Act  National Planning Policy Framework (NPPF) | | | | | | | | | | | | | | |
| **Relevant Planning History:**  **1997/0065:**  Change of use from residential home to pre-school nursery (including retention of existing ground floor flat) – Approved with Conditions | | | | | | | | | | | | | | |
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| **ASSESSMENT OF PROPOSED DEVELOPMENT:** | | | | | | | | | | | | | | |
| **Site Description and Surrounding Area:**  The site is comprised of Rossendale House, a two-storey detached children’s nursery (former dwellinghouse) incorporating numerus traditional features. Within the curtilage sits associated external area currently in use in association with the children’s nursery.  Immediately to the north sits a commercial terraced row, and to the south sits a private dwelling. The site is within the settlement boundary of Clitheroe, as well as the Clitheroe Conservation Area and immediately opposite the GII Listed Clitheroe Royal Grammar School Sixth Form. In addition, the site sits within flood zone 2. | | | | | | | | | | | | | | |
| **Proposed Development for which consent is sought:**  This Permission in Principle application seeks to change the use of the children’s nursery to between 4 and 9 self-contained flats. | | | | | | | | | | | | | | |
| **Principle of Development:**  Permission in Principle applications may **only** deal with the principle of development. Any other details relating to any other material planning consideration are to be dealt with within any future Technical Details application.  As such, the principle of development stands to be established against Key Statement EC2 and Policy DMG2 as well as the guidance found within the NPPF.  ***Community Facilities***  KS EC2 states that *proposals that have an adverse impact on existing community facilities would only be permitted as an exception where the proposed development would bring defined and demonstrable benefits.*  It is noted there is a set definition of ‘community facilities’ within the Local Plan, which is as follows: *Facilities which provide for the health and wellbeing, social education, spiritual, recreational, leisure and cultural needs of the community.*  Furthermore, NPPF Paragraph 93 aims to promote a healthy and safe community by planning positive for the provision and use of community facilities and ensuring an integrated approach to considering the location of such facilities. Whilst the NPPF offers no set definition of community facility, it does provide a number of non-exhaustive examples including health, education, cultural infrastructure, local shops, meeting places, sports venues, open space, cultural buildings, public housing, and places of worship amongst others. As such Officers consider that, in this sense, a children’s nursery could well be considered a ‘community facility’ in the sense that by providing for child care and early years education, it does provide a key public service toward the community, even though they are often private enterprises.  Officers therefore consider that EC2 is valid in this sense that this proposal should only be permitted where the proposed development would bring defined and demonstrable benefits.  ***DS1 and DMG2***  KS DS1 states that the majority of new housing development will be within the principal settlements Clitheroe, Longridge and Whalley. Furthermore, CS Policy DMG2 reinforces this by restricting development outside of these areas to a handful of specific categories – of which private housing is not one. The result is that new residential development within Clitheroe is to be heavily supported. It is therefore evident that these two policies are at odds, and a planning judgement must be made.  ***Planning Balance***  The need to retain a high level (both in quantum and quality) of community facilities is evident within EC2 and the NPPF. However, it is noted that Clitheroe – being the primary settlement within the Local Plan area – has a number of fully functioning nurseries. On review, it appears to be a minimum of 5 within Clitheroe itself (including the application site), an additional 4 in Whalley just 3.5 miles south and a further 3 approximately 2 miles north of Clitheroe. As such, the impact of 1 of these 12 nurseries changing their use is likely to be mitigated by the volume of alternative options available.  The *defined and demonstrable* benefit in this case would be the net addition to the housing supply. This would be in-line with Local Plan policy, which seeks to encourage additional housing within Clitheroe and other principal settlements and is restrictive when considering housing outside of these boundaries. As such, given the mitigative factors and evident benefits that would arise from residential development in a sustainable principal settlement location, the principle of development is secured. | | | | | | | | | | | | | | |
| **Observations on Representations:**  The 1st objection has been addressed whilst discussing matters of principle above. The 2nd objection pertains to matters that would arise within the Technical Details stage and as such cannot be addressed within this report. | | | | | | | | | | | | | | |
| **Observations/Consideration of Matters Raised/Conclusion:**  As such, for the above reasons and having regard to all material considerations and matters raised that the application is recommended for approval. | | | | | | | | | | | | | | |
| **RECOMMENDATION**: | | |  | | | | | | | | | | | |
| That Permission in Principle be granted. | | | | | | | | | | | | | | |