



Appeal Decision

Site visit made on 5 May 2026

by **M Clowes BA (Hons) MCD PG CERT (Arch Con) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 18 May 2026

Appeal Ref: APP/D2320/W/26/3377587

69 Carr Lane, Chorley, Lancashire PR7 3JF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Ms Michelle Donaghey [Northridge Care Group] against the decision of Chorley Borough Council.
 - The application Ref is 25/00700/FUL.
 - The development proposed is described as the, 'change of use of the dwellinghouse (use Class C3) to a young person's home (use class C2) for a maximum of one young person with carers as required, but no more than two carers resident overnight working on a rota basis.'
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Decision

1. The appeal is allowed and planning permission is granted for change of use of the dwellinghouse (use Class C3) to a young person's home (use class C2) for a maximum of one young person with carers as required, but no more than two carers resident overnight working on a rota basis at 69 Carr Lane, Chorley, in accordance with the terms of the application, subject to the conditions below.
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans;

Location plans drawing number GL623C/00
Existing and proposed plans drawing number GL623C/11.
 - 3) Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that order with or without modification) the premises shall be occupied only as a C2 children's residential home for a maximum of one child aged under 18 years of age, along with the appropriate care support staff, and for no other purpose, including any other use falling within Class C2 of the Order.
 - 4) The C2 use hereby permitted shall not be occupied until the vehicle parking spaces have been laid out and made available for use in accordance with the proposed site plan, drawing number GL623C/00. The spaces shall be retained for the parking of vehicles thereafter.

Applications for costs

2. An application for costs is made by Ms Michelle Donaghey [Northridge Care Group) against Chorley Borough Council. This application is the subject of a separate decision.

Main Issues

3. The main issue in this appeal is the effect of the proposed use on the living conditions of neighbouring residents, with particular regard to noise and disturbance from comings and goings and car parking.

Reasons

4. The appeal site comprises a detached 3-bedroom bungalow located within a residential area. The Planning Statement submitted with the application sets out the basis on which the home would provide care for one looked-after young person. Typically, only 2 carers would be on site at any one time working on a rota basis over a 24-hour period. A home manager would also be present during office hours. The home would be occupied in a manner similar to a family living together. Staff handovers would take place at set times, including at 10pm in the evening.
5. A dwelling of this size could reasonably accommodate a family whose daily patterns of activity would vary, including comings and goings at different times of day and night for work, school and leisure purposes. Such activity could occur across a 24-hour period and may include associated vehicle movements in addition to any deliveries. There would be nothing to prevent the dwelling being occupied by parents with adult children who themselves have their own jobs and/or cars.
6. Against this baseline, notwithstanding the comments of the Highway Authority, there is little substantive evidence before me that the limited scale of staff shift changes would result in a materially greater level of noise and disturbance above and beyond that associated with a family dwelling. The proposed use would remain residential in character, despite being operated by a care provider. The appeal site lies on a classified road within a residential area where background activity, including vehicle movements and pedestrian flows already occur, as referenced by interested parties. I acknowledge that there may be retired residents nearby that may spend more time at home. However, in my view, 8am and 10pm would not be unreasonably early or late for 2 cars to arrive, their occupants to alight and enter the home, and vice versa for the departing members of staff.
7. It does not follow that the looked-after young person, even if having additional needs, would exhibit anti-social behaviour that would result in noise and disturbance over and above that which could be generated from any other person living in the street. Staff would be present on site 24-hours a day to manage any such incidents.
8. Turning to parking matters, the Council considers that the vehicular movements associated with the proposed use would lead to an increase in demand for on-street car parking greater than a family home, resulting in disturbance for neighbouring residents. Although a snapshot in time, no on-street parking was taking place at the time of my visit. I also observed double yellow lines along both sides of Carr Lane, immediately outside and within the vicinity of the appeal site. I understand from photographs supplied by interested parties that roadside parking has been observed in the vicinity of the appeal site, despite the parking restrictions. The duration of such parking is unclear, including whether it was temporary for loading or unloading purposes, and that it was solely in relation to activity at the appeal site. Even if it was, parking on double yellow lines risks

enforcement and fines by the Council, or the Police if causing a dangerous obstruction.

9. In this case, the proposal was amended to include the provision of 4 off-street parking spaces within the appeal site. The Highway Authority considers this provision appropriate for the proposed use and, subject to its creation prior to the use first commencing, there appears no reason to suggest it would not be used. The Council could choose to enforce the parking restrictions were these not observed, particularly if such activity was prejudicial to highway safety. There would also be further room within the appeal site for an additional car(s) to park on the existing driveway behind the proposed spaces, as the submitted plans show no change to this area. Moreover, all of the neighbouring dwellings benefit from their own driveways and/or off-street car parking areas such that residents do not appear wholly reliant on on-street parking. It seems to me, that residents would not be significantly inconvenienced by the proposal as a result.
10. Therefore, considering the limited scale of the proposal, I am not persuaded that noise and disturbance generated by the looked-after person, staff and visitors coming and going from the property, would be significantly greater or any more discernible than if it were used as a single family dwelling that could consist of adults, children and teenagers. I cannot conclude that the proposal would fundamentally and harmfully alter the character and dynamic of the area. Nor would it place an unacceptable reliance on on-street parking.
11. For these reasons, I conclude that the proposal would not result in unacceptable harm to the living conditions of neighbouring residents, with particular regard to noise and disturbance arising from comings and goings and car parking. The proposal therefore accords with Policy BNE1 of the Chorley Local Plan (2015) which seeks to prevent harm to neighbouring amenity. It would also comply with the National Planning Policy Framework (the Framework), insofar as it seeks to secure a high standard of amenity.

Other Matters

12. Interested parties refer to infants and retired residents living nearby, but the specific concerns arising from the proposal on these demographics are not articulated, other than those relating to noise and disturbance which I have dealt with in the main issue above. However, I recognise that people within certain age groups have protected characteristics for the purposes of the Public Sector Equality Duty (PSED)¹, with which I have had regard to. This sets out the need to eliminate unlawful discrimination, harassment, and victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it. These are nonetheless qualified rights, and interference may be justified where in the public interest. The concept of proportionality is key.
13. I recognise the paramount importance of ensuring the safety of local children and the well-being of older residents. However, there are no restrictions which would prevent people of different age groups from living on the road. Given the limited scale of the development, with a maximum of one looked-after person and up to 3 staff members on site, there is no substantive evidence to demonstrate that the proposal would threaten the safety of local residents regardless of their age. I am

¹ As contained within Section 149 of the Equality Act 2010.

satisfied that people with protected characteristics would not be discriminated against, it would not affect their equality of opportunity, and it would not alter the ability to foster good relations between them and others.

14. I am also mindful that the proposal would provide care for one young looked-after person who may be deemed to be vulnerable, the needs of whom I must also consider under the PSED. Although an existing dwelling would be taken out of the housing stock, it is a legitimate and well-established planning policy aim to provide a sufficient number of homes for different groups within the community. This weighs in favour of the proposal and allowing the appeal would be consistent with the PSED.
15. There is no evidence before me to indicate that this particular proposal for a single place care home would provide an unnecessary financial burden on the Council. Moreover, there is no substantive evidence to suggest that there would be better places to house young people with additional needs. Rather, the appeal site is located in a residential area served by public transport and a short distance from local schools, factors likely to be important when considering the needs of a young looked-after person.
16. It has not been demonstrated that any construction works carried out at the appeal site to date has resulted in a breach of planning regulations. Construction works are also temporary in their nature such that any noise or disturbance created would not permanently harm the living conditions of neighbouring residents.
17. In its statement of case the Council raises concerns relating to the layout, design and landscaping of the proposed car parking area. This is a new concern not articulated in the reason for refusal on its decision notice or the planning committee meeting minutes. A large section of the existing front boundary wall would be removed to enable vehicles to access the proposed car parking spaces within the front garden of the home. A number of dwellings within this row of houses have had supplementary hardstanding added within the front garden to provide additional car parking space. Some of these examples have also removed part of the front boundary treatments to widen the access point and allow greater accessibility to the front garden. Whilst the paving over of front gardens for car parking is not ideal, given the context I have described, the proposal would not have a harmful effect on the character and appearance of the area.
18. The planning system operates in the public interest. The effect of development on private property values is not therefore, a material planning consideration.
19. The Council advises in its officer report that letters were posted to nearby residential properties, and a site notice was placed outside of the site on Carr Lane. There is nothing in the evidence before me to suggest that interested parties were prejudiced by the Council's notification procedure. I note that a number of parties that suggested they had not been notified did make comments on the proposal. The application was also determined by the Planning Committee at a public meeting.

Conditions

20. The Council's suggested conditions have been considered and the wording varied where necessary with consultation of the parties, to ensure compliance with Planning Practice Guidance and paragraph 57 of the Framework.

21. Along with the standard time limit and to list the plans in the interests of certainty, a condition is imposed to restrict the use of the site for occupation by one young person for C2 purposes. This is necessary to manage the intensity of the use of the site in the interests of the living conditions of neighbouring occupiers. As C2 uses could also include permitted changes to other residential institutions including hospitals, nursing homes and training centres which would have a greater degree of activity, it is reasonable and necessary to restrict the proposed use in this instance. This would mean that the appellant could not increase the number of young person's residing in the home without obtaining a further permission, an issue I note is of concern to interested parties.
22. A condition is also required in the interests of highway safety to ensure that the proposed car parking spaces are made available for their intended use, prior to the first occupation of the young person's care home. The submitted site layout plan indicates that the car parking spaces would comprise permeable tarmac. As this is a bound material that would not result in debris being brought onto the carriageway and the Council has not raised any objection to it on visual grounds, I see no reason for a condition requiring further surfacing details to be provided.

Conclusion

23. The proposed development would be in accordance with the development plan and the material considerations do not indicate that the appeal should be determined other than in accordance with it. Therefore, for the reasons given above, I conclude that the appeal should be allowed.

M Clowes

INSPECTOR