

Application Number	07/2023/00047/FUL
Address	360 Leyland Lane Leyland Lancashire PR25 1TB
Applicant	Mr A Mumin
Agent	Mr Ashfaq Patel 115 Church Street Preston PR1 3BS
Development	Single storey rear extension
Officer Recommendation	Approval with Conditions
Date application valid	17.01.2023
Target Determination Date	31.03.2023
Extension of Time	31.03.2023

Location Plan



Report Summary

The application property is an existing hot food takeaway located in the Seven Stars Local Centre in Leyland. As such the proposal for a single storey rear extension has been assessed in terms of Local Plan Policy E5 and Policy G17 and is considered to be in accordance and is therefore recommended for approval subject to the imposition of conditions.

Site and Surrounding Area

The application relates to a commercial property located on the western side of Leyland Lane in the Existing Built Up Area of Leyland. The property is currently used as a takeaway and is within a terrace of commercial properties including barbers, beauty, betting shop and retail premises.

Opposite is the Seven Stars Public House and to the rear is St Anne's Catholic Nursery School.

Planning History

07/1987/0786 New shop front. APV 06/01/1988

07/1988/0728 Change of Use to Taxi Booking Office. REF 23/11/1988

07/1994/0104 Change of Use of Ground Floor Shop (Class A1) to a Take-Away Hot Food Shop (Class A3). APV 13/04/1994

Proposal

The application proposes a single storey extension to the rear. The extension would measure 4.3m by between 2.6m reducing to 1.9m due to the irregular shape of the rear yard area. It would have a pitched roof over with an eaves height of 2.45m and a ridge height of 3.37m.

The extension is to be built on the boundary and therefore a Certificate B certificate of ownership has been served on the owner of the adjacent property, 358 Leyland Lane.

Summary of Publicity

Neighbouring properties were notified with no letters of objection being received at the time of compiling this report.

Summary of Consultations

Environmental Health advise that they have reservations about the layout for the extension to this food premises. Basically, the toilet compartment communicates directly into a food preparation area. As a minimum they would be looking at an intervening space (IVS) to further separate the two areas, but ideally the layout should be redesigned.

Policy Background

Policy E5: Local Centres seeks to protect and enhance A1 uses in order to achieve a minimum of 60%. This is to maintain the vitality and viability of the centre. Applications for other local centre uses including A2 Financial and Professional Services, A3 Cafés and Restaurants, A4 Drinking Establishments, and B1 Offices may be appropriate where it does not undermine the sustainability of the shopping area. As such an amended plan was submitted in line with EH's comments.

Policy G17: Design Criteria for New Development permits new development, including extensions and free standing structures, provided that, the proposal does not have a detrimental impact on the existing building, neighbouring buildings or on the street scene by virtue of its design, height, scale, orientation, plot density, massing, proximity, use of materials. Furthermore, the development should not cause harm to neighbouring property by leading to undue overlooking, overshadowing or have an overbearing effect; 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 will provide an interesting visual environment which respects the character of the site and local area; the development would not prejudice highway safety, pedestrian safety, the free flow of traffic, and would not

reduce the number of on-site parking spaces to below the standards stated in Policy F1, unless there are other material considerations which justify the reduction such as proximity to a public car park. Furthermore, any new roads and/or pavements provided as part of the development should be to an adoptable standard; the proposal would sustain, conserve and where appropriate enhance the significance, appearance, character and setting of a heritage asset itself and the surrounding historic environment. Where a proposed development would lead to substantial harm or loss of significance of a designated heritage asset, planning permission will only be granted where it can be demonstrated that the substantial public benefits of the proposal outweigh the harm or loss to the asset; and the proposal would not have a detrimental impact on landscape features such as mature trees, hedgerows, ponds and watercourses. In some circumstances where, on balance, it is considered acceptable to remove one or more of these features, then mitigation measures to replace the feature/s will be required either on or off-site.

Material Considerations

The application property is within the Seven Stars Local Centre as allocated by Policy E5 in the South Ribble Local Plan. This policy seeks to maintain the vitality and viability of the centre. The application property is an existing hot food takeaway and the proposal is for a rear extension. Therefore, the proposal has no impact on the Local Centre and will help to sustain this existing business. As such, it is considered to be in accordance with Policy E5.

In terms of the extension, Policy G17 permits new development provided that the proposal does not have a detrimental impact on the existing building, neighbouring buildings or on the street scene by virtue of its design, height, scale, orientation, plot density, massing, proximity, use of materials. Furthermore, the development should not cause harm to neighbouring property by leading to undue overlooking, overshadowing or have an overbearing effect.

Character and Appearance

There will be no impact on the character and appearance of the area as the proposal is located to the rear and therefore will not be viewed in the street scene of Leyland Lane.

Residential Amenity

The proposal is for a rear extension projecting 4.3m from the rear along the common boundary with 358 Leyland Lane. This property is also in commercial use, operating as a fish and chip shop. It has a single storey rear extension with one window and a door facing the proposed extension. It is understood the first floor is in residential use and the external staircase up to the flat is adjacent the proposed extension. As the proposal is single storey, it will have little impact on the first-floor apartment and the facing windows are to the commercial element.

A certificate B Certificate of Ownership has been served on 358 as the proposal is on the common boundary. No representations have been received.

To the other side is 362 Leyland Road, also a commercial property. The proposed extension will be set 1m off the common boundary with one window facing towards the boundary. Again, as the proposal is single storey and the neighbouring property is commercial, it will not unduly impact on 362.

To the rear boundary is St Anne's Catholic Nursery School and its associated grounds. Between is an alley way and the school boundary consists of mature planting and trees. No windows are proposed in the rear elevation of the proposed extension and therefore there will be no undue impact on the nursery school.

It is considered that the proposed extension will have no undue impact on neighbouring buildings or the street scene and is therefore in accordance with Policy G17.

Other Matters

As the proposal is for an extension to an existing hot food takeaway, Environmental Health were consulted. They advised that they had reservations about the layout for the extension to this food premises. Basically, the toilet compartment communicates directly into a food preparation area. As a minimum they would be looking at an intervening space (IVS) to further separate the two areas, but ideally the layout should be redesigned.

As such, an amended plan was submitted which moves the preparation area so that the staff room is adjacent the WC. This is considered acceptable and is in line with Environmental Health's comments.

Conclusion

For the reasons outline above, it is considered that the proposed extension will have little impact on neighbouring land uses and is policy compliance and therefore the application is recommended for approval subject to the imposition of conditions.

RECOMMENDATION:

Approval with Conditions.

RECOMMENDED CONDITIONS:

1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this permission.
REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
2. The development, hereby permitted, shall be carried out in accordance with the submitted approved plans Dwg 002 Rev A Proposed Plans and Elevations
REASON: For the avoidance of doubt and to ensure a satisfactory standard of development

RELEVANT POLICY

E5 Local Centres
G17 Design Criteria for New Development