

Application Number 07/2017/0284/FUL

Address Building Junction Of School Lane And Golden Hill Lane
School Lane
Leyland
Lancashire
PR25 2TU

Applicant Mr Gerard Byrne

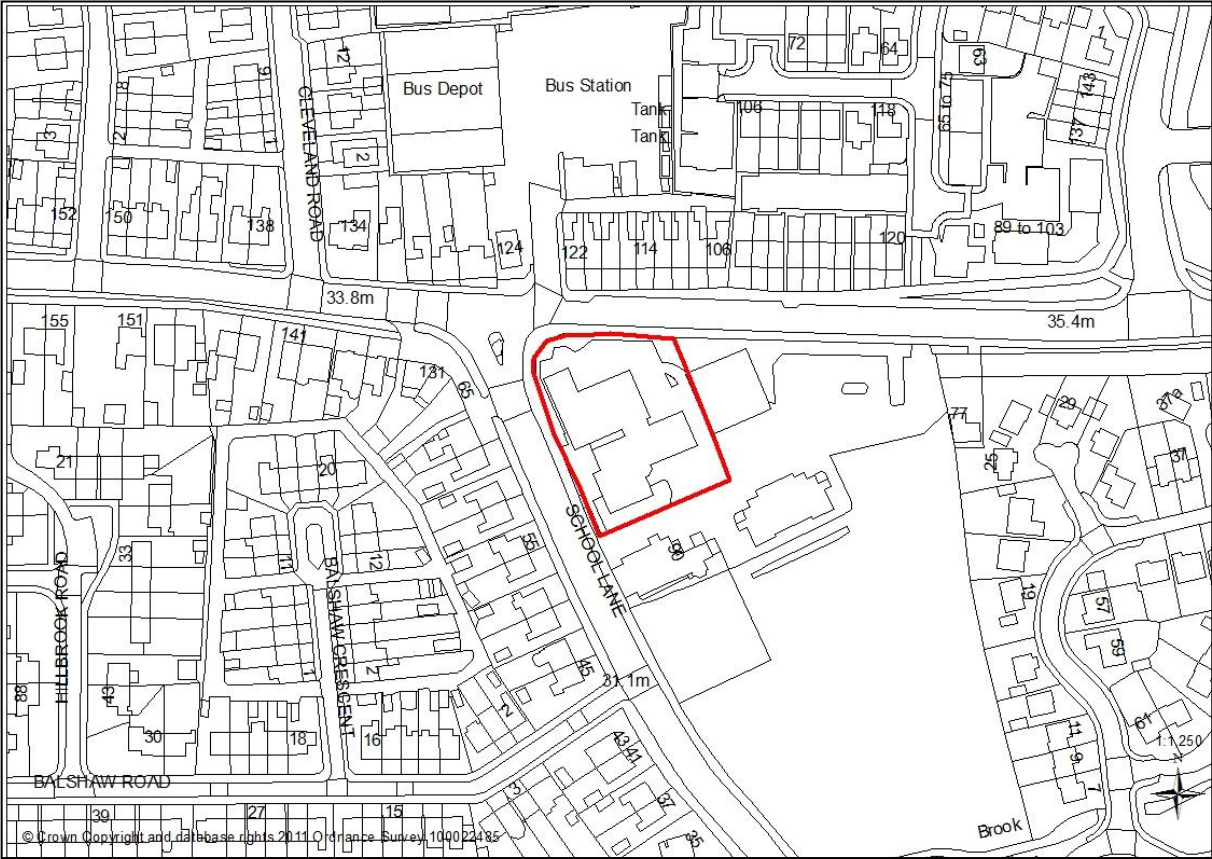
Agent Mr Phil Robinson

Development Change of use of part of existing office building (Class B1) to private members pool club (Class D2)

Officer Recommendation **Approval with Conditions**

Officer Name **Mrs Debbie Roberts**

Date application valid 10.02.2017
Target Determination Date 07.04.2017
Extension of Time None



1. Introduction

1.1 This application comes before Committee at the request of Councillor Titherington.

2. Report Summary

2.1 This application refers to a large building at the junction of School and Golden Hill Lanes, Leyland whose former but lawful use is as office space within the B1 office / light industrial use class. The site, which includes 4 other buildings is well screened by high hedges which span the majority of its boundary.

2.2 The applicant seeks permission to change the buildings use to a private members pool club (Class D2) with ancillary works.

2.3 This change although different from its lawful use, re-uses an existing building, in a commercial setting with ample service and parking space. Conditions to control use of external areas have been included following comments made by neighbouring residents, but on balance this proposal is considered to accord to the relevant policies of the South Ribble Local Plan, Central Lancashire Core Strategy, and National Planning Policy Framework. It is therefore **recommended for approval subject to the imposition of conditions.**

3. Application Site and Surrounding Area

3.1. The application refers to a building within the complex known as The Golden Hill Centre; a well screened, facility occupied by 3 no: empty two/single storey office buildings, Grade II listed Stonehouse Nursery with a separate former school building to its rear (also empty). The complex centres around a communal parking area with access/egress from School Lane; the application site being the northern, single storey section of the larger building (currently subdivided internally) at the junction of Golden Hill and School Lanes.

3.2. The buildings lawful use is one of Use Class B1 (office / light industrial) for which there are no time or usage restrictions.

3.3. Abutting the complex in the south is a large tract of green space (former playing fields) beyond which are Bannister Brook, and Leyland Town Centre (250m south); in the north and west are residential properties addressed off Golden Hill and School Lanes respectively.

3.4. The site is designated under Policy B1 (Existing Built Up Area) of the South Ribble Local Plan

4. Site Context / Planning History

4.1 There are thirty nine planning applications on the history of this site; most of which pre-date 1999 and refer to minor works and alterations on this and adjacent buildings.

4.2 Planning permission was also granted in October 2016 for a similar change of use of the ancillary school building (Class D1) to pool club (Class D2) with smoking shelter, bin store and associated parking. This has not been implemented and the applicant suggests that it is unlikely to be.

5. Proposal

5.1 The applicant seeks permission to change the use of the single storey section of the main office building (Class B1) to private members Pool Club (Class D2) with ancillary works. The southern part of the building denoted on the proposal drawings as 'Golden Hill Centre' and separate 'James Fisher Ltd' property do not form part of this proposal.

5.2 Internal works would result in installation of a small bar, servery and seating area (ancillary to the main function), pool room (18 tables), private office and beer store. Existing car parking to the north of the site is more than adequate for this proposal.

5.3 Development to accommodate the above would involve the following, but otherwise is limited and cosmetic in nature both internally and externally:

- Installation of fire exit into the western elevation
- Erection of small (2.2m x 2.2m x 2.3m high) smoking canopy abutting a small retaining wall to the eastern side (facing car park)
- Erection of close boarded waste bin store to rear

The applicant suggests opening times of 11am – 12pm, daily.

6. Summary of Supporting Documents

6.1 The application and scaled drawings are accompanied by a Planning Design and Access Statement (Partek Design GHC-PDA: 2.2.17)

7. Representations

7.1 A site notice has been posted and twenty six neighbouring properties have been consulted. A leaflet also appears to have been circulated to neighbouring properties by one resident in objection.

7.2 Letters of Objection or Support

7.2.1 Eleven letters of representation has been received. Comments made are summarised as:

Impact upon neighbour amenity

- Respondent notes that the applicant will have a licence to play music, and requests soundproofing and air-conditioning to prevent windows being opened in warm weather
- 'The pool club lists a jukebox as one of the features'* – although games machines are shown on the proposal there is no mention at all of a Jukebox
- 'There will be large signs facing our property. Will these be illuminated'*
- Concerns over noise and rowdy behaviour resulting from use and operation of the bar
- Excessive use of the facility seven days per week.
- Objection to late opening hours – respondent states that *'Happy House Chinese closes at midnight and I am woken by car doors slamming and people talking. This application will cause similar problems'*
- Objections to anti-social behaviour and littering
- Respondents *'home is a quiet place'* (property directly facing Golden Hill Lane) with expectations that residents should expect *'peace and quiet'* in the late evening.
- Use of the smoking area will inevitably result in drinking, and smokers will be *'virtually outside my home till midnight'* (30m north: Golden Hill Lane) – a condition to prevent food and drink being consumed in the smoking shelter is recommended
- Request for opening to be no later than 9pm weekdays and 10pm weekends
- Noise resulting from deliveries and waste collections
- Child safeguarding issues for premises adjacent to a nursery – *'clients of the pool hall cannot be controlled or monitored – how would police monitor the activity of known sex offenders for example'* and *'concern for children walking home from Wellfield School'*
- 'Drainage in the area is already under strain'* – numbers using the facility would differ little to the existing use

Highways Impact

- Lack of parking facilities at the site resulting in parking on Golden Hill Lane

- Impact upon traffic accessing School Lane

7.2.2 *Officer comment:* Discussions with the applicant note that a music licence has not as yet been applied for, and would in any case be outside of the remit of this application. A condition to restrict music outside of the building however is considered prudent. Similarly advertisement consent will be considered following determination of this proposal.

7.2.3 Use of, and parking at the premises in terms of noise impact, anti-social behaviour, crime, highways impact and loss of neighbour amenity have been separately assessed by Environmental Health and Lancashire Constabulary whose comments are discussed below. It should be noted however that despite the suggestion that Golden Hill Lane/School Lane junction is a quiet area, it is one of the Boroughs busiest thoroughfares against which noise from this building should be balanced.

7.2.4 It is acknowledged that the pool club would sit within the same complex as the nursery. The site however has been in long-term use by a variety of large businesses with many employees of unknown origin. It should also be noted that a 'live' permission exists for the same facility in the building immediately adjacent to the nursery, to which no-one other than the nursery owner objected. Comments with regards to 'control of pool club members' and 'known sex offenders' are uncalled for and irrelevant to this proposal.

7.2.3 Comments also made, but which are non-material planning considerations are as follows. These have not been taken into account

- Please include a stipulation that hedgerows should be grown to a greater height
- As a members club, will non-members be allowed to attend?
- Tournaments will bring in coaches – no mention of tournaments has been made within the application
- Past use of the site by youths who '*drink and cause a nuisance*' – past misuse of the site is not relevant to the buildings future use
- The building '*could be put to better use and would bring jobs into the area*'
- Windows and fire escapes will be open during summer months – this could occur within the existing building
- Concerns that a private members club is a '*male dominated place*', that without a restriction on age the club would become '*an outside youth club*' and '*young people need to be chaperoned*' – use of a building by any gender, age or social group is not relevant in this case
- There are already too many pool clubs in the area – competition is not a material planning consideration
- '*European Human Rights*' of the adjacent nursery business and its success
- That '*there has been no direct consultation with the local community*' – consultation has been fully undertaken in accordance with the Town & Country Planning (Development Management Procedure) England Order 2015.

8 Summary of Responses

8.1 **Lancashire Constabulary** have assessed the site, have no objection but note that there is a documented crime record in and around the site, and involving pool halls in the area. As such Secured by Design principles should be incorporated into the development; this has been added as an informative note.

8.2 **South Ribble Environmental Health** have no objections to the proposal but recommend conditions and informative notes with regards to construction, use of the smoking shelter, external audio equipment, extraction, waste and cycle storage.

8.3 **Lancashire County Council Highways** have no objections and are of the opinion that the proposed change of use will offer negligible impact on highway safety or capacity.

9 Material Considerations

9.1 Relationship To Neighbours

9.1.1 The property is located at the junction of a very busy, road junction with the closest residential properties being those on School Lane (23m west) and 30m north on Golden Hill Lane. All properties would be well screened by the application sites existing hedgerows.

9.1.2 The orientation of this proposal is such that the main and fire exits, and smoking shelter would face towards the commercial car park. Although proposed opening hours are significant, there is currently no time restriction on operational use of the facility; this potential for 24hr office or light industrial use must therefore be taken into account.

9.1.3 In addition, the potential for dereliction of this unused facility which has proven difficult to rent out must be considered; particularly as occupancy of this building may encourage others to re-use adjacent buildings, and that the building is located at a prominent entrance into Leyland's town/retail centre.

9.1.4 Daytime use of the club is not considered to be more onerous than the lawful office / light industrial use, but conditions to control use of outside space are recommended.

9.1.5 It is considered that when taking into account the unrestricted existing use within an established facility with existing car parking space, on balance and subject to controlling conditions this proposal would differ little from that which already exists in terms of noise, loss of privacy or overlooking.

9.2 Policy Considerations

9.2.1 The site is designated under Policy B1 of the South Ribble Local Plan as Existing Built Up Area which includes a presumption towards re-development of under used sites where proposals do not impact upon the amenity of occupants of the area, highways safety or the areas character. Proposals are minimal in the context of the existing building and complex, and appear to accord well to the above policy.

9.2.2 The National Planning Policy Framework is also based upon a presumption in favour of sustainable development, which includes building a strong and competitive economy. It is considered that as the building is already in situ, and did until fairly recently provide local employment in a busy commercial setting, proposed change would impact little on the character or amenity of the immediate area.

10 Conclusion

10.1 This change of use whilst being very different from the former office use, re-uses an existing building, in a commercial setting with ample service and parking space. Conditions to control use of external areas have been included, and on balance this proposal appears to accord with all relevant policies of the South Ribble Local Plan, Central Lancashire Core Strategy and National Planning Policy Framework. It is therefore **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 GB-GHC-PL01 (Elevation/GF layout), GB-GHC-PL02
REASON: For the avoidance of doubt and to ensure a satisfactory standard of development
3. Refuse, recycling and waste materials shall only be stored in the approved bin store (as indicated on approved plans). Materials shall not be stored at the front of the property, on the public highway or pavement adjacent to the public highway unless on the day of collection by an appropriate body. Immediately following collection, waste containers/bins shall be moved back to the approved storage area. The approved area shall be retained thereafter for waste storage and for no other purpose unless otherwise agreed in writing with the Local Planning Authority.
REASON: To safeguard the character and visual appearance of the area and to safeguard the living conditions of any nearby residents particularly with regard to odours and/or disturbance in accordance with Policy 27 in the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan
4. The development hereby approved shall not be brought into use until the smoking canopy detailed on approved plan GB GHC PL01 (Partek Design) have been erected. The approved canopy shall be retained thereafter unless otherwise agreed in writing with the Local Planning Authority.
REASON: To safeguard the character and visual appearance of the area and to safeguard the living conditions of any nearby residents particularly with regard to odours and/or disturbance in accordance with Policy 27 in the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan 2012-2026
5. The smoking shelter shall not at any time be used for the consumption of food or drink.
REASON: To safeguard the living conditions of nearby residents particularly with regard to the effects of noise in accordance with Policy 17 in the Central Lancashire Core Strategy and Local Plan Policy G17
6. Waste, including empty bottles shall not be removed from within the premises to the approved bin store between the hours of 10pm and 7am on any day.
REASON: To safeguard the living conditions of nearby residents particularly with regard to the effects of noise in accordance with Policy 17 in the Central Lancashire Core Strategy
7. Any construction works associated with the development shall not take place except between the hours of: 0800 hrs to 1800 hrs Monday to Friday and 0800 hrs to 1300 hrs Saturday
No construction works shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing with the Local Planning Authority
REASON: To safeguard the living conditions of nearby residents particularly with regard to the effects of noise in accordance with Policy 17 in the Central Lancashire Core Strategy
8. No deliveries shall be taken at or dispatched from the site outside the following times:
0800 hrs to 1800 hrs Monday to Friday
0800 hrs to 1300 hrs Saturday
No activities shall take place on Sundays, Bank or Public Holidays.
REASON: To safeguard the living conditions of nearby residents particularly with regard to the effects of noise in accordance with Policy 17 in the Central Lancashire Core Strategy

9. No live or amplified music, or external speakers shall be permitted outside of the pool club hereby approved, unless agreed in writing with the Local Planning Authority
REASON: In the interest of the amenity and to safe guard the living conditions of the nearby residents in accordance with Policy 17 of the Central Lancashire Core Strategy and G17 of the South Ribble Local Plan

10. Prior to installation of any extraction, filters and external ventilation stacks, details (including height of stacks, fixings and noise levels to be produced) shall be submitted for written approval to the Local Planning Authority. The approved scheme shall be fully implemented prior to first use of the site and shall thereafter be retained and maintained in efficient working order for the duration of the approved use.
REASON: To ensure prior to development that extraction equipment is fit for purposes, in the interests of the amenity and to safe guard the living conditions of the nearby residents in accordance with Policy 17 in the Central Lancashire Core Strategy.

11. Notwithstanding the provision of the Town and Country Planning (Use Classes) Order 1987 (as amended) Paragraph 3(1) or any provision equivalent to this in any statutory instrument revoking and re-enacting this Order, the use of the premises shall be restricted to the use applied for - namely pool club, unless the prior consent of the Local Planning Authority is obtained.
REASON: To enable the Local Planning Authority to retain control over the impact of the development on residential amenity and/or highway safety in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan 2012-2026

RELEVANT POLICY

NPPF National Planning Policy Framework
17 Design of New Buildings (Core Strategy Policy)
POLB1 Existing Built-Up Areas
POLF1 Car Parking
POLG17 Design Criteria for New Development

Note:

Other application Informative

1. Attention is drawn to the condition(s) attached to this planning permission. In order to discharge these conditions an Application for Approval of Details Reserved by Condition form must be submitted, together with details required by each condition imposed. The fee for such an application is £97. The forms can be found on South Ribble Borough Council's website www.southribble.gov.uk

2. Lancashire Constabulary Note: The applicant should ensure that Secured by Design principles are incorporated into the development in line with the Central Lancashire Core Strategy. This should include, but is not limited to:
 1. Installation of laminated glazing in windows/doors
 2. Motion activated external lighting to promote natural surveillance and deter intruders
 3. Infrared CCTV coverage of internal and external areas. Data should be stored securely for 30 days before being destroyed if not required
 4. The bar should be high and wide to deter assault and staff intimidation
 5. Contact or impact sensor intruder alarms are recommended, and should cover all available points of access (PIR and dual tech sensors would only activate once entry has been gained). Alarms should be linked to an alarm receiving centre.
 6. Further advice is available from Lancashire Constabulary or at www.securedbydesign.com