

PLANNING COMMITTEE

WEDNESDAY, 18TH DECEMBER, 2019, 6.00 PM

SHIELD ROOM, CIVIC CENTRE, WEST Paddock, LEYLAND PR25
1DH

AGENDA

1 Welcome and Introduction

2 Apologies for Absence

3 Declarations of Interest

Members are requested to indicate at this stage in the proceedings any items on the agenda in which they intend to declare an interest. Members are reminded that if the interest is a Disclosable Pecuniary Interest (as defined in the Members' Code of Conduct) they must leave the room for the whole of that item. If the interest is not a Disclosable Pecuniary Interest but is such that a member of the public could reasonably regard it as being so significant that it is likely that it would prejudice their judgement of the public interest (as explained in the Code of Conduct) then they may make representations but then must leave the meeting for the remainder of the item.

4 Minutes of the Last Meeting

(Pages 5 - 10)

Held on Wednesday, 20 November 2019, to be signed as a correct record.

5 Appeal Decisions

An update will be provided at the meeting.

6 07/2019/1209/FUL - 2 Arkholme Drive, Longton

(Pages 11 - 20)

Report of the Director of Planning and Property attached.

7 07/2019/8927/HOH - 13 Nabs Head Lane, Samlesbury, Preston

(Pages 21 - 26)

Report of the Director of Planning and Property attached.

8 07/2019/0069/FUL - 62 Canberra Road, Leyland

(Pages 27 - 36)

Report of the Director of Planning and Property attached.

Gary Hall
INTERIM CHIEF EXECUTIVE

Electronic agendas sent to Members of the Planning Committee Councillors Caleb Tomlinson (Chair), Malcolm Donoghue (Vice-Chair), Will Adams, James Flannery, Mary Green, Jon Hesketh, Cliff Hughes, Keith Martin, Christine Melia, Caroline Moon, David Shaw, Phil Smith and Barrie Yates

The minutes of this meeting will be available on the internet at www.southribble.gov.uk

Forthcoming Meetings

6.00 pm Wednesday, 15 January 2020 - Shield Room, Civic Centre, West Paddock, Leyland PR25 1DH

Procedure of Debate at Planning Committee

Whenever a planning application is dealt with by Planning Committee the Council is keen to allow the local community to participate in the process. The procedure that will ordinarily be followed is that:-

- Up to five members of the public who wish to speak against an application will be allowed to speak. Each will have up to four minutes in which to state their case.
- Up to five members of the public who wish to speak in favour of an application will then be allowed to speak. Again each will have up to four minutes in which to state their case.
- Borough councillors (not on Planning Committee) will then have the opportunity to make representations about the application. Each will have up to four minutes to state their case – whether for or against.
- The applicant/agent will then be invited to speak in support of the application. Ordinarily he/she will have up to four minutes to speak.
- The application will then be discussed by Committee. At this point members of the public, the applicant and other councillors not on Committee will not be able to speak further.
- Planning Committee will then take a vote on the matter.
- No paperwork, plans or photographs will be allowed to be circulated by the applicant/agent or member of the public at the meeting.

The Chairman of Planning Committee has discretion to vary these rules when dealing with a particular application if he considers it appropriate. Whenever members of the public speak (whether in opposition to a proposal or in favour of it) they should avoid repeating the same points made by other speakers.

Filming/Recording Meetings

The Council will allow any member of the public to take photographs, film, audio-record and report on any Planning Committee meeting. If anyone is intending to record any such meeting (or part of such a meeting) then it would be very helpful if they could give prior notice of their intention to the Council's Democratic Services Team. Ideally 48 hours' notice should be given.

When exercising the rights to record a Planning Committee meeting a member of the public must not in any way be disruptive to that meeting. They must not provide an oral commentary on the meeting whilst it is continuing. If disruption is caused then the Chairman of the meeting may exclude that person from the rest of the meeting.

Members of the public will not be entitled to stay in the meeting if any confidential (exempt) items of business are being discussed.

Full details of planning applications, associated documents including related consultation replies can be found on the Public Access for planning system, searching for the application using the Simple Search box.
<http://publicaccess.southribble.gov.uk/online-applications/>

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MINUTES OF PLANNING COMMITTEE

MEETING DATE **Wednesday, 20 November 2019**

MEMBERS PRESENT: Councillors Caleb Tomlinson (Chair), Malcolm Donoghue (Vice-Chair), Will Adams, James Flannery, Mary Green, Keith Martin, Christine Melia, Caroline Moon, David Shaw, Phil Smith and Barrie Yates

OFFICERS: Dave Whelan (Legal Services Manager/Interim Monitoring Officer), Catherine Lewis (Development Planning Team Leader), Steven Brown (Head of Development Management), Janice Crook (Planning Officer), Debbie Roberts (Planning Officer) and Charlotte Lynch (Democratic and Member Services Officer)

OTHER MEMBERS AND OFFICERS: Councillor William Evans (Cabinet Member (Planning, Regeneration and City Deal)) and Councillor Michael Green

PUBLIC: 30

67 Welcome and Introduction

The Chair, Councillor Caleb Tomlinson, welcomed members of the public to the meeting, introduced the committee and explained the roles of its members and proceedings.

68 Apologies for Absence

Apologies for absence was received from Councillors Jon Hesketh and Cliff Hughes.

69 Declaration of Interest

Councillors Phil Smith and Keith Martin declared personal interests in Item 8 – Visitors Centre, Hurst Grange Park, Penwortham.

Councillor Caleb Tomlinson declared a personal interest in Item 9 – Pearson House, Station Road, Bamber Bridge.

Councillor Barrie Yates declared a personal interest in Item 10 – 287 Higher Walton Road.

Councillors Caleb Tomlinson and Keith Martin declared personal interests in Item 12 – 2 Rydal Avenue, Walton-le-Dale.

70 Minutes of the Last Meeting

Queries were made about minute numbers 66.1 and 66.4 which stated that *“the application be approved and the decision be delegated to the Director of*

Planning and Property in consultation with the Chair and Vice Chair of the Planning Committee upon the successful completion of a Section 106 agreement to secure affordable housing, delivery of employment land through a management company, public art contribution, acoustic fencing, highway contributions, air quality monitoring and education” and that “the diversion of Public Footpath No. 59 be approved”.

It was felt that minute number 66.1 accurately reflected the decision made by members of the committee. Minute number 66.4 would be amended, however, to read “that the diversion of Public Footpath No. 59 be undertaken.”

RESOLVED: (Unanimously)

That the minutes of the last meeting held on Wednesday, 23 October 2019 be signed as a correct record by the Chair subject to an amendment to minute number 66.4.

71 Appeal Decisions

The Head of Development Management informed the committee of four appeals which had been referred to the Planning Inspector relating to:

- Land between 2-3 Townley Lane, Penwortham – appeal dismissed
- Land between 2-3 Townley Lane, Penwortham – appeal dismissed
- 72 Leyland Road, Penwortham – appeal dismissed
- Moorfield, Six Acre Lane, Longton – appeal upheld

Members requested that the Inspector’s report on Moorfield, 6 Acre Lane, Longton be circulated.

72 07/2019/8177/ADV - Land at School Lane and Golden Hill Lane, Leyland

Speakers: Ward Councillor Matthew Tomlinson

Address: Land at School Lane/Golden Hill Lane, Leyland

Applicant: Aldi Stores Ltd

Agent: Harris Partnership, 77 Dale Street, Manchester

Development: Advertisement consent for 5 no. internally illuminated signs.

RESOLVED: (Unanimously)

That consent be granted with conditions.

73 07/2019/9135/VAR - Land to the Rear of 60-64 Fossdale Moss, Moss Side, Leyland

Speakers: Ward Councillor Michael Green and the Agent

Address: Land to the rear of 60-64 Fossdale Moss, Moss Side, Leyland, Lancashire

Applicant: Five Star Development Homes Ltd

Agent: Geoffrey Clark, 14 St Clements Road, Wigan, WN1 2RU

Development: Application for the variation of conditions 2 (site layout) and 5 (site compound) of planning permission 07/2018/0856/FUL

RESOLVED: (Yes: 10 Abstain: 1)

That the variation of conditions 2 (site layout) and 5 (site compound) of planning permission 07/2018/0856/FUL be approved with conditions.

74 07/2019/9791/FUL - Visitors Centre, Hurst Grange Park, Penwortham

Speakers: None

Address: Visitors Centre, Hurst Grange Park, Penwortham

Applicant: Greg Clark, Neighbourhood Services, South Ribble Borough Council

Development: Restoration and refurbishment of Coach House building to provide park visitor centre and café with associated toilets, garden area and partial building of perimeter wall to rear to include secure courtyard, workshop/store and log store.

RESOLVED: (Unanimously)

That the application be approved with conditions.

75 07/2019/0402/FUL - Pearson House, Station Road, Bamber Bridge

Speakers: None

Address: Pearson House, Station Road, Bamber Bridge

Applicant: Mr P Patel, South Ribble Borough Council

Agent: Mr Lee McGregor, LMC Architecture, 4 Dovedale Drive, Ightenhill, Burnley, BB12 8XD

Development: Conversion of existing vacant building to form 9 no. flats with office area at ground floor.

RESOLVED: (Unanimously)

That the application be approved with conditions.

76 07/2019/9013/FUL - 287 Higher Walton Road

Speakers: the Applicant

Address: 287 Higher Walton Road, Higher Walton, Preston, Lancashire, PR5 4HU

Applicant: Robert Helm

Development: Erection of 1no 2 bedroomed detached bungalow

An amendment was moved by Councillor Yates, seconded by Councillor Mary Green, for the application to be refused due to lack of parking and loss of privacy.

The vote on the Amended Motion was Yes: 3, No: 6, Abstain: 2 and the Chair declared that **the Amended Motion was lost**.

A vote on the Substantive Motion was then moved by Councillor Adams, seconded by Councillor Donoghue, and it was RESOLVED (Yes: 6 Abstain: 2 No: 3) that the application be approved with conditions.

77 07/2019/9896/FUL - 55 Hough Lane, Leyland

Speakers: None

Address: 55 Hough Lane, Leyland, Lancashire, PR25 2SA

Applicant: Venue Group Ltd

Agent: Mr David Perry, Extended Design Limited, 97 The Farthings, Astley Village, Chorley, PR7 1SH

Development: Change of use from (Class A2 Financial and professional services) to (Class A4 Drinking establishment) replacement shop frontage and outside seating area

RESOLVED: (Unanimously)

That the application be approved with conditions.

78 07/2019/0126/FUL - 2 Rydal Avenue, Walton-le-Dale

Speakers: 5 objectors, Councillor Matthew Tomlinson (on behalf of Councillor Paul Foster), Councillor Bill Evans and a representative of the Agent (Mr Graeme Thorpe)

Address: 2 Rydal Avenue, Walton-le-Dale, Preston, Lancashire, PR5 4RU

Applicant: Cygnet Health Care

Agent: Miss Abigayle Boardman, 4 The Crossroads Business Park, Freckleton Street, Kirkham, PR4 2SH

Development: Change of use of existing dwelling (Class C3) to Residential Institution (Class C2)

An amendment was moved that the application be approved with conditions outlined in the report and an additional condition to read that prior to the commencement of the use hereby approved an acoustic survey shall be undertaken to ensure that the

party wall between no 2 and no 4 Rydal Avenue meets the requirements of Part E of the Building Regulations 2010 as amended.

Details of the findings of the survey and any mitigation measures identified shall be submitted for approval to the local planning authority. Once approved the mitigation measures shall be carried out as approved prior to the commencement of the use or as agreed otherwise with the local planning authority. The approved mitigation measures shall be retained and maintained thereafter.

REASON: 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.

Upon being put to the vote, it was RESOLVED (Yes: 9 Abstain: 2) that the application be approved with conditions outlined in the report and the additional condition as outlined above.

79 07/2019/8637/REM - Preston Scania, 514 Four Oaks Road, Bamber Bridge

Speakers: None

Address: Preston Scania, 514 Four Oaks Road, Walton Summit Industrial Estate, Bamber Bridge, Preston, Lancashire, PR5 8BW

Applicant: Haydock Commercial Vehicles

Agent: C Squared Architects, The Barns, Stretton Road, Warrington, WA4 4NP

Development: Reserved Matters Application for the erection of proposed replacement HGV vehicle workshop and service centre

RESOLVED: (Unanimously)

That the application be approved with conditions.

Chair

Date

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Agenda Item 6

Application Number 07/2019/1209/FUL

Address 2 Arkholme Drive
Longton
Preston
Lancashire
PR4 5DE

Applicant Cherish UK LTD

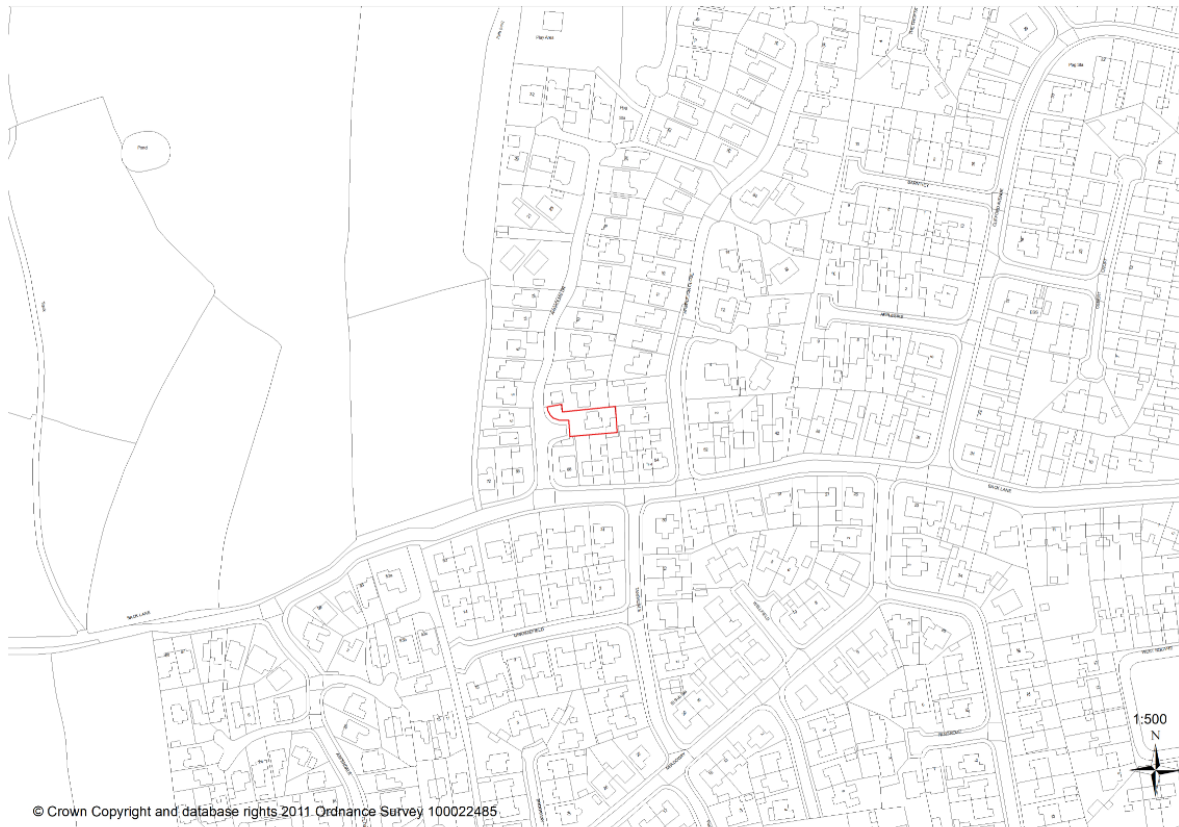
Agent Mr Peter Watson

8 Skyways Commercial Campus
Amy Johnson Way
Blackpool
Lancashire
England
FY4 3RS

Development Change of use of existing dwelling (Use Class C3) to Residential Institution (Use Class C2)

Officer Recommendation **Approval with Conditions**
Officer Name **Mrs Linda Ashcroft**

Date application valid 06.11.2019
Target Determination Date 01.01.2020
Extension of Time



1. Introduction

1.1 This application is being brought before the Planning Committee at the request of a Ward Councillor.

2. Report Summary

2.1 This application seeks permission for a change of use from a residential dwelling (Class C3) to a residential institution (Class C2). The use is to provide care for up to three children between the ages of 8-18 years old.

2.2 The nature and purpose of this home is to accommodate low risk looked after children supporting young people.

2.3 No development is proposed and it is considered that the use will not have a detrimental impact on residential amenity, highway safety nor will it impact upon the character and appearance of the area.

3. Site History

3.1 There is no planning history to report.

4. Proposal

4.1 Planning permission is sought for a change of use of a dwellinghouse (Class C3) to Residential Institution (Class C2).

4.2 The property will be used to provide care for up to three children between the ages of 8-18 years old.

4.3 The reason the children are in care is varied and the list is not exhaustive but most looked after children have suffered abuse and become traumatised by their experiences.

4.4 The home will accommodate young people who have not been involved with the police or youth offending teams, display significant pro social behaviours and have no criminogenic factors such as missing from home, gang involvement or substance misuse.

4.5 The home will be staffed by a maximum of three employees on site including one part time. Shift changeovers are 9.30 am and 9.30 pm to ensure there is no impact upon school traffic.

4.6 A waking night member of staff will be present 7 days a week; an on call system is also operated.

4.7 The young people in care will attend mainstream school.

4.8 There is existing off road parking provision within the curtilage of 2 Arkholme Drive for a minimum of three vehicles.

4.9 There is an existing detached garage with an attached office area set to the rear of the dwelling.

5. Representations

5.1 A residents 'drop-in' session was arranged by the applicant on the 4 December 2019 from 16:00-19:30 hours but went on until 20:00 hours.

5.1.1 Invites were posted to 30 properties identified by the Local Planning Authority who had been consulted/made representation about the proposal; 15 people attended the meeting.

5.2 Summary of Publicity

5.2.1 Sixteen neighbours were notified and two site notices have been posted with 36 letters of representation being received.

5.3 Letters of Objection

5.3.1 A total of 33 letters of objection have been received and a summary of the points of object raised are as follows:

5.3.2 Highway Issues

- ☐ Insufficient parking and services;
- ☐ More traffic generated causing a bottleneck;
- ☐ Parking already limited on the street;
- ☐ Additional vehicles by visits from agencies, health care, probation teams, parents, carers and health officials over 24/7;
- ☐ Not room to safely park 3 cars directly outside the property;

5.3.3 Character of the Area

- ☐ Already problems with drugs, aerosols, anti-social behaviour and gangs in the area;
- ☐ Vandalism
- ☐ Would be easy for children in care to either gravitate to the gangs or be selected as easy targets of the gangs;
- ☐ Proposal unsuitable and out of character;
- ☐ Affect amenities of residents on Arkholme Drive, Back Lane and Hambleton Close;
- ☐ No provision for this being a mixed use development;
- ☐ Longton is primarily a village with an affluent and ageing population;
- ☐ Larger town with youth groups, sports centre and better access to resources would be far more suitable.
- ☐ Concerned about safety in the area;
- ☐ Live in a quiet private residential cul-de-sac which is why we moved here;

5.3.4 Noise/Disturbance/Privacy

- ☐ Will adversely affect local residents and create problems and conflict;
- ☐ Privacy is an issue with 8 overlooking properties;
- ☐ Noise will be inevitable with a business being run in a quiet cul de sac;
- ☐ Level of noise that the home will generate
- ☐ Noise from use of office attached to existing garage;
- ☐ Noise from existing decking close to neighbouring property which is accessed from bi-fold door which will mean music, tv, chattering, unruly behaviour will spill out into the surrounding area and will increase even more in the summer months;
- ☐ Concerned with confidential discussions with office being close to neighbours;
- ☐ As a pensioner concerned if the children join gangs that hang around causing problems with their drinking, swearing and general disruptive bad behaviour;

- ☐ Will a curfew operate at the home or will the three teenagers have lots of friends in playing loud music until all hours;

5.3.5 Other Issues

- ☐ Should 8 year old children not have full time supervision;
- ☐ No amenities for the children;
- ☐ No community centre or clubs for the age group;
- ☐ Poor bus service;
- ☐ Title Deeds prevent properties being used for business or commercial uses;
- ☐ Safeguarding is an issue as supervisors office will be separate from the house;
- ☐ Children in care deserve the highest levels of support and care from highly trained specialists, within the right environment;
- ☐ Concerns about Cherish UK as a care provider;
- ☐ Have Cherish evidence that each of their current properties have not had any issues with anti-social behaviour, access to adjoining properties, increase in traffic, no adverse disturbance to residents of any sort;
- ☐ Residents should be made aware of any issues with similar homes run by Cherish;
- ☐ There will never be an end to children being resident in this property;
- ☐ If approved and there are issues with increased traffic, anti-social behaviour, unacceptable noise etc, will Cherish UK be forced to sell the house and change use back to residential?
- ☐ Could the home be taken over by another Care Company to house children with a history of anti-social behaviour?
- ☐ Is the home only for the children specified?
- ☐ Been no consultation with residents by Cherish;
- ☐ Application has been underhand and a foregone conclusion;
- ☐ Cherish describe the children as 'low risk' – to whom and by whose standards does this definitions apply.
- ☐ Researched the Company with contradicting results.
- ☐ If children are youth offenders they will attract like minded people to hang around the premises;
- ☐ How will Cherish guarantee the children's safety – Rochdale comes to mind;
- ☐ Police presence is nil in the village;
- ☐ Policy B1 in the South Ribble Local Plan quoted;
- ☐ Insufficient publicity;
- ☐ Initial letter suggested application was going to be pushed through under delegated powers;
- ☐ Cherish state home will be used for lowest risk residents, including those that we are assisting to become independent and economically viable adults. What is meant by including; wording strongly suggests not all children will be assisted in this way. Does this mean that some children have reasons why they would not be able to achieve this goal?
- ☐ 'Less complex' category is very vague;
- ☐ Far more beneficial to invest in family foster services than residential care and that outcomes of residential care are worse than foster care;
- ☐ Lack of clarity in application;
- ☐ Inadequate time to respond;
- ☐ Residents meeting too late;
- ☐ Concern for children in the surrounding area;
- ☐ If a child absconds, who looks after the others;
- ☐ Concerned about whether staff are suitably qualified;
- ☐ Been many frightening reports of incidents in local children's homes, and Cherish need to address our fears;
- ☐ Description of proposal is unrealistic;
- ☐ Pollution from extra traffic;

- ☐ Process has not been transparent; there has been secrecy and lack of information;
- ☐ Cherish UK have not contacted residents;
- ☐ Care for young grandchildren and don't want their safety compromised;
- ☐ Devalue house prices;
- ☐ Due to the nature of my job as a Police Officer, concerned that I will have had professional dealings with proposed occupiers of the property and/or will have, in the future, professional dealings with the proposed occupiers of the property;

5.4 **Letters in Support**

5.4.1 Three letters in support of the application has been received. Commenting as follows:

- ☐ Through personal experience they have achieved a good and successful life which was built on the foundations and teachings of a mentor whilst living in a children's home not dissimilar to the one being proposed. If it were not for this environment, their life may have turned out very differently. These children should be welcomed into our neighbourhood and given the best chance.
- ☐ Shocked by what has been said;
- ☐ Would rather live next to children who have nothing than a resident who comes out with absolutely absurd comments;
- ☐ Neighbours should be ashamed to imply these children will cause trouble;
- ☐ Community is about supporting one another and will bring my son up to accept and realise how lucky he is to have a mum and dad;
- ☐ These children have been let down by their parents, yet residents already find them guilty;
- ☐ Leave me feeling anxious;
- ☐ Concerned home will be used for young offenders;
- ☐ Potential change is an absolute disgrace;

6. **Summary of Responses**

6.1 **Lancashire County Council Highways** have raised no objection and is of the opinion that the proposed development would not have a severe impact on highway safety or capacity.

6.2 **Environmental Health** have made no comments.

6.3 **Architectural Liaison** have not responded.

7. **Material Considerations**

7.1 Policy

7.1.1 **National Planning Policy Framework**

7.1.1.1 Paragraph 91 under Section 8: Promoting healthy and safe communities seeks to ensure that decisions should aim to include healthy, inclusive, safe, places.

7.1.2 **Central Lancashire Core Strategy**

7.1.2.1 **Policy 1: Locating Growth** focuses growth and investment on well located brownfield sites in the key service centres and main urban areas of South Ribble. Growth and investment will also be encouraged to help meet local housing and employment needs and to support the provision of services in Longton.

7.1.2.2 **Policy 7(e) Affordable and Special Needs Housing** seeks to provide extra care accommodation to be provided in well located in communities thereby reducing the need to travel.

7.1.2.3 **Policy 23(a) Health** seeks to integrate public health principles and planning, helping reduce health inequalities and in particular to improve primary care access and facilities.

7.1.2.4 **Policy 25(a): Communities Facilities** ensures that local communities have sufficient community facilities provision by working with public, private and voluntary sector providers to meet demonstrable need.

7.1.3 **South Ribble Local Plan**

7.1.3.1 **Policy B1: Existing Built-Up Areas** permits development which complies with the requirements for access, parking and services; is in keeping with the character and appearance of the area and will not adversely affect the amenities of nearby residents.

7.1.3.2 **Policy F1: Parking Standards** requires that development proposals provide car parking and servicing space in accordance with the parking standards. For a C2 use, 1 car parking space per 4 bedrooms is the requirement and provision for the parking of two bicycles.

7.1.3.3 **Policy G17: Design Criteria for New Development** permits development which, amongst other things, does not have a detrimental impact on neighbouring buildings or on the street scene. Furthermore, the development should not cause harm to neighbouring property by leading to undue overlooking, overshadowing or have an overbearing effect.

7.2 Principle of development

7.2.1 The Town and Country Planning (Uses Classes) Order 1987 (as amended) distinguishes a range of uses of buildings and specifically permits changes of use from one to another within individual classes. A private residential house (Dwelling House) falls within Use Class C3 whilst Residential Institution falls within Use Class C2.

7.2.2 Class C2 (Residential Institutions) covers “Use for the provision of residential accommodation and care to people in need of care (other than a use within class C3 (dwellinghouses)), use as a hospital or nursing home; use as a residential school, college or training centre.

7.2.3 ‘Care’ is defined in the Use Classes Order as *“personal care for people in need of such care by reason of old age, disablement, past or present dependence on alcohol or drugs or past or present mental disorder, and in class C2 also includes the personal care of children and medical care and treatment.”* A children’s home would fall within this use class.

7.2.4 Case Law has confirmed that it is unrealistic for children to be expected to look after themselves and that a children’s home run on shift patterns would require a change of use. Hence, planning permission is required for the proposal.

7.3 Highway Considerations

7.3.1 The application property has three bedrooms and as a residential dwelling, two off road parking spaces are required. A minimum of three off road parking spaces are available on site together with unrestricted parking being available on the highway.

- 7.3.2 For a use falling within Class C2, one parking spaces is required per four beds. Given that the property will have a maximum of three bedrooms and two care workers on site at any one time, there is ample off road parking available.
- 7.3.3 Shift changeovers are 9.30 am and 9.30 pm which will ensure that there is limited impact upon school traffic.
- 7.3.4 There are bus services within the local area, the nearest bus stop being set some 35m to the south on the A59 Liverpool Road.
- 7.3.5 Cherish operate a free cycle scheme to employees and encourage the use of public transport.
- 7.3.5 The children will come and go from school/college and will go on shopping trips etc sharing one car for the majority of the time.
- 7.3.6 Looked after children do not receive constant visits by Social Workers, Police, Community Healthcare, Teachers or any other Local Authority professionals.
- 7.3.6 County Highways have raised no objection and is of the opinion that the proposed development would not have a severe impact on highway safety or capacity.
- 7.3.7 The proposal meets with the Parking Standards set out in Appendix 4 in the Local Plan and therefore accords with Policy F1 and G17.

7.4 Character of the area

- 7.4.1 No extensions are proposed to the dwelling. The residential home will act as a home from home and will create a family environment and will therefore not be dissimilar to a residential dwelling.
- 7.4.2 There is a statutory duty under the Children Act 1989 for the relevant authority to place children near their home, is within the local authority's area and does not result in their education being disrupted.
- 7.4.3 The children need to be cared for in a homely and close knit community environment. As such it is considered that the nature and use of the proposal accords with Policy G17 in the Local Plan.

7.5 Noise and Disturbance

- 7.5.1 It has been suggested that in line with the change of use, the level of anti-social behaviour will rise in the area. The property will be run to ensure that the level of care that each child requires can be fully achieved. The household will run as a normal family dwelling with staff present on site at all times.
- 7.5.2 There will be a maximum of three staff members on site, including one part time. A waking night member of staff will also be present 7 days a week.
- 7.5.3 Due to the nature and use of the property it is considered this will not result in unacceptable noise and disturbance and as such complies with Policy B1 in the Local Plan.

7.6 Residential Amenity

- 7.6.1 The children and young people will be in care for reasons such as neglect and have become traumatised by the very people who should be showing them love and keeping them safe.
- 7.6.2 The home will support children between the ages of 8 to 18 who behave pro-socially, have no involvement with the police or youth offending teams and have no criminogenic factors.
- 7.6.3 The children will be in full time education and will live long term as a family unit with support to prepare them for adulthood. The children will engage with the community in a positive way.
- 7.6.4 Due to the aforementioned it is therefore considered the proposal will not have a detrimental impact upon the residential amenity of adjacent properties and as such accords with Policy B1 in the Local Plan.
- 7.7 Other Material Considerations
- 7.7.1 A 'Third Party Correspondence and Consultation Documents' has been submitted by the Applicant's agent responding to representations received; these comments will be incorporated further in the report.
- 7.7.2 Planning permission is sought for a change of use from a residential dwelling (Class C3) to residential institution (Class C2). No development, in terms of any extensions, are proposed.
- 7.7.3 The home will be registered for up to three children and will be run in line with Ofsted regulations and within Cherish UK's statement of purpose which is a statutory document.
- 7.7.4 The home will be occupied by lowest risk residents, including those who are being assisted to become independent and economically viable adults.
- 7.7.5 The main issues include whether the principle of the change of use is acceptable in terms of highway matters, residential amenity and any other considerations.
- 7.7.6 Sixteen neighbours were notified and two site notices posted, one on Arkholme Drive and one on Back Lane; this is extensive publicity for this type of proposal.
- 7.7.7 Depreciation of property value and covenants in deeds restricting business use are not material planning considerations.
- 7.7.8 In respect of concerns in relation to future safety of neighbouring families, the C2 use is not a typical care home and the dwelling will generally operate as a normal household with staff to assist the children with day-to-day care.
- 7.7.9 A condition can be added to restrict the use of the home by Cherish Care if this is deemed necessary.
- 7.7.10 Should the home be used as a home for young offenders, the property would require a change of use to C2a (Secure Residential Institutions).
- 7.7.11 Comments about how the care home is run are of no relevance to this application and comes under the remit of Ofsted.

7.7.12 Subject to appropriate conditions, it is considered the proposal accords with all relevant policies.

8. Conclusion

- 8.1 There is a need to carefully balance the amenity expectations of residents in their communities against the need to ensure that vulnerable children are also appropriately accommodated. Subject to conditions restricting the use to that applied for, the proposal is considered acceptable and would meet the aims of Policy G17 of the South Ribble Local Plan.
- 8.2 There have been no objections received from statutory consultees.
- 8.3 It is therefore considered that the nature of the use and the number of children who will reside at the property will not impact upon highway safety, the character and appearance of the area nor will it have a detrimental impact upon the amenity of neighbouring residential properties.
- 8.4 The proposal complies with Policy 17 of the Central Lancashire Core Strategy, Policy B1, F1 and G17 of the Adopted Local Plan 2012-2026 and therefore recommended for **Approval**.

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. That 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 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 highway safety in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan 2015.
3. The use hereby permitted shall be restricted to a maximum of three residents at any one time.
REASON: To enable the Local Planning Authority to retain control over the use of the land.
4. The development, hereby permitted, shall be carried out in accordance with the submitted approved plans Dwg MCS/066/003 Rev A.
REASON: For the avoidance of doubt and to ensure a satisfactory standard of development

RELEVANT POLICY

POLB1 Existing Built-Up Areas

POLF1 Car Parking

Note:

Agenda Item 7

Application Number	07/2019/8927/HOH
Address	13 Nabs Head Lane Samlesbury Preston Lancashire PR5 0UQ
Applicant	Mr Dean Mather
Development	Retrospective application for a detached outbuilding to front
Officer Recommendation Officer Name	Approval with Conditions Jessica Jarman
Date application valid	05.11.2019
Target Determination Date	31.12.2019
Extension of Time	N/A



1. **Introduction**

1.1 The application is being presented to Committee on request from the Ward Councillor.

2. **Report Summary**

2.1 Retrospective planning permission is sought for a detached outbuilding situated in the front garden of 13 Nabs Head Lane.

2.2 At the time of writing the Committee Report, no written representations have been received

2.3 It is considered that the outbuilding is prominent given its siting on along Nabs Head Lane and is not in keeping with the neighbouring existing frontages. Currently, conifers have been placed in planters along the Applicant's boundary however they are not at a significant height. However, if planning permission was to be granted it is considered a planning condition should be attached requiring further vegetation for screening e.g. native/ prior hedgerow together with a condition requiring the painting of the outbuilding in an acceptable colour to be agreed with the Local Planning Authority.

2.4 On balance, it is considered with the imposition of conditions listed, the application is deemed to be in accordance with Policies G1 and G17 of the Adopted Local Plan 2012-2026, the South Ribble Residential Extensions Design Guide SPD and Policy 17 of the Central Lancashire Core Strategy.

3. **Application Site and Surrounding Area**

3.1 The proposal within the village of Nabs Head which is washed over by Green Belt in the Adopted South Ribble Local Plan.

3.2 The wider area of Samlesbury is largely a rural community. The residential property is located on Nabs Head Lane. To the north is Round Acre and to the east is Further Lane.

4. **Planning History**

4.1 There is no previous site history for the application site

5. **Proposal**

5.1 Retrospective planning permission is sought for a detached outbuilding situated to the front of the application site.

5.2 The outbuilding measures 3.65m x 6.09m to a height of 1.8m to the eaves and a maximum height of 2.65

5.3 The outbuilding is constructed from timber treated coated in natural oak stain, leaded glass and felt roof shingles.

5.4 The building is currently used for storage.

6. **Summary of Supporting Documents**

6.1 Planning Statement from Applicant

Representations

6.2 Summary of Publicity

6.2.1 Ten neighbouring properties have been notified No written representations have been received relating to the application.

7. **Summary of Consultee Responses**

7.1 None

8. **Material Considerations**

8.1. Policy Considerations

8.1.1. The site is designated under Policy G1 of the South Ribble Local Plan as Green Belt. The National Planning Policy Framework, Core Strategy Policy 17 (Design), Local Plan Policy G17 (Design of New Buildings) and the South Ribble Rural Development Supplementary Planning Document are also relevant.

8.1.2. The National Planning Policy Framework notes at Para 11 that plans and decision should apply a presumption in favour of sustainable development. Sustainability specifically the ability to provide for the development needs of the local area whilst protecting the immediate environment.

8.1.3. The site in question is designated as Green Belt the National Planning Policy Framework (NPPF) attaches great importance to Green Belt. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

8.1.4. In line with the NPPF and as outlined in Policy G1 of the South Ribble Local Plan, planning permission will not be granted to development which is inappropriate to the Green Belt unless the proposal sits within a clearly defined range of exceptions, or the applicant can demonstrate that there are very special circumstances which clearly outweigh the harm caused to the fundamental open nature of the area. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances; when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt.

8.1.5. The current outbuilding replaces a smaller shed the outbuilding is situated within the curtilage of a dwelling house which forms part of a small settlement. A development within that context would not be of detrimental harm to the Green Belt.

8.2. Additional policy of marked relevance to this proposal is as follows:

8.2.1. Central Lancashire Core Strategy

8.2.1.1. The Core Strategy was adopted at full Council on 18th July 2012, and is therefore a material consideration in the determination of this planning application.

8.2.1.2. **Policy 17: Design of New Buildings** requires new development to take account of the character and appearance of the local area.

8.2.2. *South Ribble Local Plan*

In addition to site allocation policies B1 and the following are also pertinent:

8.2.2.1. **Policy F1: Parking Standards** requires all development proposals to provide car parking and servicing space in accordance with parking standards adopted by the Council.

8.2.2.2. **Policy G17: Design Criteria for New Development** considers design in general terms, and impact of the development upon highways safety, the extended locale and the natural environment.

8.2.2.3. **South Ribble Residential Design SPD** discusses design in very specific terms, and whilst more attuned to the Reserved Matters application stage, is relevant with regards to separation with properties beyond the site bounds.

8.3. Impact of Development on Neighbouring Properties

7.3.1 There are no windows proposed along the elevation fronting the neighbouring properties as a result there is not an unacceptable loss of privacy. The closest residential properties are located along Nabs Head Lane. There is approximately a distance of 12m between the boundary of the neighbouring properties and the outbuilding.

7.3.2 It is considered that the proposal would not unduly affect the amenities of the neighbouring properties.

8.4. Design, Character & Appearance

7.4.1 Site Allocations Policy G17 (Design Criteria for new development) seeks to ensure new development relates well to neighbouring buildings and the extended locality, that layout, design and landscaping of all elements of the proposal are of a high quality; providing interesting visual environments which respect local character, reflect local distinctiveness, and offer appropriate levels of parking and servicing space in line with Policy F1 (Parking Standards) of the same document. Core Strategy Policy 17 (Design of New Buildings) effectively mirrors these criteria.

7.4.2 Currently, it is considered that the outbuilding is prominent given its siting fronting onto Nabs Head Lane and is not in keeping with the neighbouring existing frontages. Currently, conifers have been placed in planters along the Applicant's boundary however they are not at a significant height. However, if planning permission was to be granted it is considered a planning condition should be attached to require further vegetation for screening purposes e.g. native/priort hedgerow together with a condition requiring the painting of the outbuilding in an acceptable colour to be agreed with the Local Planning Authority.

8.5. Highways Considerations and Parking Arrangements

8.5.1. Off road parking is not affected by the outbuilding.

9. Conclusion

- 9.1 On balance, it is considered with the imposition of conditions listed, the application is deemed to be in accordance with Policies G1 and G17 of the Adopted Local Plan 2012-2026, the South Ribble Residential Extensions Design Guide SPD and Policy 17 of the Central Lancashire Core Strategy.

RECOMMENDATION:

Approval with Conditions.

RECOMMENDED CONDITIONS:

1. Within two months of the date of this permission, details of a screening native or privet hedgerow to be planted between the building hereby approved and the road frontage of Nabs Head Lane shall be submitted to, and approved in writing by, the Local Planning Authority. The hedge shall be wholly on land within the 'red edge' identified on approved location plan 00451793-AD004 and shall be implemented in the first planting season after the date of the decision notice. The approved scheme shall be maintained by the applicant or their successors in title thereafter for a period of 5 years to the satisfaction of the Local Planning Authority. This maintenance shall include the replacement of any hedgerow which is removed, becomes seriously damaged, seriously diseased or dies, by the same species or different species, and shall be agreed in writing by the Local Planning Authority.
REASON: In the interests of the amenity of the area in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G8 in the South Ribble Local Plan 2012-2026
2. Within one month of the date of this permission, details of proposed paint colour for the outbuilding shall be supplied to, and agreed in writing with the Local Authority, the planting shall then be carried out within a further two months from the date of agreement. Once implemented this colour scheme shall be retained thereafter unless otherwise agreed in writing with the local planning authority.
REASON: In the interests of the amenity and appearance of the area in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G13 in the South Ribble Local Plan 2012-2026

RELEVANT POLICY

17	Design of New Buildings (Core Strategy Policy)
POLG1	Green Belt
POLG17	Design Criteria for New Development
RES	Residential Extensions Supplementary Planning Document

Note:

Householder 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 £34. The forms can be found on South Ribble Borough Council's website www.southribble.gov.uk

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Agenda Item 8

Application Number 07/2019/0069/FUL

Address 62 Canberra Road
Leyland
Lancashire
PR25 3ER

Applicant Mason Developments

Agent Mr Peter Entwistle

40 Queensway Euxton
Chorley
PR7 6PW
United Kingdom

Development Erection of single storey rear extension and new sloping roof over existing side extension (part retrospective)

Officer Recommendation **Approval with Conditions**
Officer Name **Mr Chris Sowerby**

Date application valid 30.09.2019
Target Determination Date 25.11.2019
Extension of Time -



1. INTRODUCTION

1.1 A Ward Councillor has requested that the application be determined by the Planning Committee, taking into consideration the nature of the proposal the Director of Planning and Property has agreed to this request.

2. REPORT SUMMARY

2.1 The proposal, which is part retrospective, is for the erection of a single storey rear extension and a replacement mono-pitched roof over the existing single storey side extension to a vacant ground floor semi-detached commercial premise.

2.2 The application relates to a vacant ground floor semi-detached commercial premise (Class A1) fronting Canberra Road together with an existing single storey side element which formed a separate commercial premise. Whilst a convenience store is present on the opposite side of Canberra Road, the surrounding area is predominantly residential. The application site is within an area of land designated as Existing Built-Up Area under Policy B1 of the South Ribble Local Plan.

2.3 Amended plans have been submitted in order to remove references to the building being used as a restaurant with bar which the agent acknowledges would require planning permission for a change of use should the unit wish to be used for that purpose. The application is solely for an extension and alteration to a retail unit (Class A1).

2.4 The proposed alteration to the roof above the existing side element would be no higher than the existing parapet wall to the front which is to be removed. Roofs of a similar design and scale are on side extensions in the immediate locality. The proposed single storey rear extension would replace an existing and would only be partially visible from Hargreaves Avenue. The proposed extension is of a similar scale that is present on neighbour residential properties, including the immediate neighbouring property at 60 Canberra Road. The application also proposes the use of brickwork and tiles to match the existing property.

2.5 The proposed inter-relationships are acceptable and accord with the relevant minimum spatial separation standards.

2.6 County Highways acknowledge in their consultation response that whilst the parking level would not, and in fact currently does not, meet the parking standards detailed in Appendix 4 of the South Ribble Local Plan they raise no objections to the proposed development, highlighting that the proposed development would not have “*severe impact on highway safety or capacity within the immediate vicinity of the site*” (a ‘severe impact’ is the national policy requirement to substantiate a refusal on highway safety grounds). The floor area of the proposed extension, when viewed in isolation, would generate a need for 1 off-street parking space, with the proposal looking to increase the current off-street provision of 1 parking space to 4 off-street car parking spaces.

2.7 The proposed development is deemed to be in accord with Policies 1, 10 and 17 of the Core Strategy together with Policies B1 and G17 of the South Ribble Local Plan. The application is therefore recommended for approval subject to the imposition of conditions.

3. APPLICATION SITE AND SURROUNDING AREA

3.1 The application relates to a vacant ground floor semi-detached commercial premise fronting Canberra Road together with an existing single storey side element which formed a separate commercial premise. A residential flat is present on the first floor with the adjoining ground floor unit being currently occupied by a hair dressers.

3.2 The main premise most recently operated as a café with the business operating from within the side element (which was presumably originally an attached garage) being a beauty salon.

3.3 Whilst a convenience store is present on the opposite side of Canberra Road, the surrounding area is predominantly residential.

3.4 The application site is within an area of land designated as Existing Built-Up Area under Policy B1 of the South Ribble Local Plan.

4. SITE HISTORY

4.1 In 2000 a planning application (07/2000/0552) for a two-storey side extension and a single storey rear extension was withdrawn prior to determination.

4.2 In 2014 a Prior Notification application (07/2014/0176/TPD) was approved (i.e. prior approval not required) permitted a flexible change of from a shop (Class A1) to a café (Class A3). Under the terms of the Town and Country Planning Act (General Permitted Development) Order 2013 this temporary permitted use ceased on the 23 April 2017 with the lawful use of premise reverting back to Class A1.

5. PROPOSAL

5.1 Planning permission is sought, part retrospectively, for the erection of a single storey rear extension and a replacement mono-pitched roof over the existing single storey side extension.

5.2 The proposed single storey rear extension measures 3.2m (depth) x 6.6m (width) x 2.4-3.5m (height) with a mono-pitched roof and would replace a modest single storey outrigger on the rear elevation of the premise. The proposed extension is identified as being as a staff/store room for the premise. Two windows are proposed on the rear elevation of the proposed extension together with an external side door.

5.3 The proposed mono-pitched roof over the existing single storey side element would measure 2.5-3.5m height and would replace an existing roof up to 3m in height which is set behind a parapet wall.

5.4 All materials are to match that of the existing property, where appropriate.

5.5 Amended plans have been submitted in order to remove references to the building being used as a restaurant with bar which the agent acknowledges would require planning permission for a change of use. The application is solely for an extension and alteration to a retail unit.

6. REPRESENTATIONS

9 letters of objection have been received in relation to the proposal. A summary of the points raised follows:

Policy Issues

- ☐ Proposal would be contrary to local plan policies which seek economic growth in town centres

Character

- ☐ Proposed extended property would be out of character with the surrounding area
- ☐ Commercial unit of this size would be out of keeping with the residential surroundings

Relationship To Neighbours

- ☐ Loss of privacy / overlooking
- ☐ Overdominance

Highway Issues

- ☐ Increase in traffic / highway safety
- ☐ Congestion
- ☐ Inadequate parking provision

Other Issues

- ☐ Noise and disturbance as a result of increased deliveries and more customers
- ☐ No details of waste storage
- ☐ Factual inaccuracies contained within the submission
- ☐ The applicant's identity and ownership matters relating to the unit are not clear including leasehold matters
- ☐ Area is already well served for large retail convenience stores

7. CONSULTATION REPLIES

7.1 **County Highways** have raised no objections to the proposal commenting that the Lancashire County Councils five year data base for Personal Injury Accident (PIA) indicates that there has been 1 recorded incident within the vicinity of the site within the last 5 years. They have however advised that on investigation of the details recorded, the incident appears to be of a nature that would not be worsened by the proposed development.

7.2 In regards to parking, County Highways advise *"Drawing No.'Mason-2-1' indicates that 4 parking spaces would be provided to the front of the site with access from Canberra Road. The proposed level of parking is not in line with South Ribble Borough Councils parking standards. However LCC Highways is of the opinion that the under provision of parking spaces would not have a severe impact on highway safety or capacity within the immediate vicinity of the site"*. Further comment is made that parking restrictions are in place to protect the junction adjacent to the site.

7.3 A condition is recommended to be imposed relating to works to be undertaken within the adopted highway as result of an extension to the existing dropped kerb potentially being required.

7.4 **Environmental Health** have submitted no observations.

8. MATERIAL CONSIDERATIONS

Policy Considerations

8.1 i) NPPF

8.1.1 The NPPF promotes a presumption in favour of sustainable development and supports sustainable economic development, stating *"Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business need and wider opportunities for development."* (para. 80)

8.1.2 ii) Core Strategy Policy Considerations

8.1.3 Policy 1 of the Core Strategy is entitled 'Locating Growth' and encourages the focussing of growth and investment in the Key Service Centres of Chorley and Leyland and the other main urban areas in South Ribble.

8.1.4 Policy 10 of the Core Strategy is entitled 'Employment Premises and Sites' and highlights the need to protect sites last used and allocated for employment for future employments use.

8.1.5 iii) South Ribble Local Plan

8.1.6 The site is within an area of land designated as B1: Existing Built-Up Areas. Policy B1 permits the re-use and redevelopment of land and buildings provided that:

- i) the development complies with the requirements for access parking and services, as set out elsewhere in the Plan;
- ii) is in keeping with the character and appearance of the area; and
- iii) will not adversely affect the amenities of nearby residents.

8.1.7 This will be assessed in the following sections of this report.

8.2 Policy Issues

8.2.1 Neighbours have raised objection on the basis of the proposal being contrary to planning policies which seek economic growth in town centres, in specifically Core Strategy Policy 11: Retail and Town Centre Uses and Business Based Tourism.

8.2.2 Policy 11 of the Core Strategy, together with the justification of Policy E4: District Centres in the South Ribble Local Plan, confirm that such retail policies are designed to prevent an over-proliferation of non-retail uses in town and district centres and not as a measure to prevent the presence of retail uses outside of town and district centres. Furthermore, it is also important to consider that the retail use at this location already exists and is historic.

8.3 Character / Appearance

8.3.1 Policy 17 of the Core Strategy and Policy G17 of the Local Plan, sets out design criteria for new development and requires development to be well related to neighbouring buildings and the locality in terms of its size, scale and intensity (plot coverage). In consideration of the above, the local distinctiveness and character of the local area have been assessed. Whilst the adjoining premise is a hairdressers and the premises opposite is a convenience retail store, the surrounding area is however predominantly residential comprising largely of traditional and modern semi-detached dwellinghouses. The property subject to this application together with the adjoining premise, whilst both being in commercial uses, are of the scale and form as surrounding residential properties.

8.3.2 The proposed alteration to the roof above the existing side element would be no higher than the existing parapet wall to the front which is to be removed. Roofs of a similar design and scale are on side extensions in the immediate locality.

8.3.3 The proposed 3.2m (depth) x 6.6m (width) single storey rear extension would replace an existing 1.5m (depth) x 3.6m (width) outrigger and would only be partially visible from Hargreaves Avenue. The proposed extension is of a similar scale that is present on neighbour residential properties, including the immediate neighbouring property at 60 Canberra Road. The application also proposes the use of brickwork and tiles to match the existing property.

8.3.4 Neighbours have objected on the basis of a commercial unit of this size would be out of keeping with the residential surroundings. The size of the proposed extension is however relatively modest, some 13sq m more than the existing outrigger than is to be demolished, and is located on the rear of the property with minimal impact on the streetscene.

8.3.5 For the above reasons the proposed development is considered to comply with Core Strategy Policy 17 and Policy G17 of the South Ribble Local Plan.

8.4 Relationship To Neighbours

8.4.1 The proposed replacement roof on the existing side element would have an eaves height of 2.5m which is 0.1m lower than the existing and has a maximum height of 3.5m which is 0.5m higher than the existing roof but 0.3m lower than the parapet roof which is to be removed. The adjacent property at 60 Canberra Road has a detached running garage adjacent to the party boundary with the application side. This inter-relationship is considered to be acceptable and will not result in an undue impact on the amenity of the neighbouring property in terms of overshadowing / overdominance.

8.4.2 No windows are proposed on the southern side elevation of the proposed single storey rear extension. The adjoining commercial premise at 64 Canberra Road has no ground floor windows on the rear elevation. The proposed single storey rear extension would therefore not have an undue impact on this property in terms of overshadowing / overdominance and overlooking / loss of privacy.

8.4.3 The proposed single storey rear extension would project a similar distance to the single storey rear extension on the adjacent residential property at 60 Canberra Road with a distance of 9m between the two extensions. Whilst the existing single storey rear extension of 60 Canberra Road also has an external side door present with the boundary treatment comprising of a 2m high hedge. This inter-relationship is considered to be acceptable with the proposal not having an undue impact on this property in terms of overshadowing / overdominance and overlooking / loss of privacy.

8.4.4 A distance of 6.5m would be present from the rear elevation of the proposed rear extension to the two-storey blank gable of an extension on 2 Hargreaves Avenue. A 1.8m high timber fence is present along the rear boundary of the site. With two ground floor windows proposed on the rear elevation of the proposed extension this inter-relationship is not considered to have an undue impact on the amenities of the neighbouring property in terms of overshadowing / overdominance and overlooking / loss of privacy.

8.4.5 The proposed inter-relationships are acceptable and accord with the relevant minimum spatial separation standards.

8.5 Highway Issues

8.5.1 A submitted site layout plan details the area of hardstanding to the front of the shop to be used to provide a line of 4 off-street car parking spaces. This would require an existing dropped kerb onto Canberra Road to be extended in agreement with LCC Highways, the details of which can be secured by a suitably worded condition. County Highways acknowledge in their consultation response that even with the additional off-street car parking spaces shown on the submitted site layout plan the parking level would not meeting the parking standards detailed in Appendix 4 of the South Ribble Local Plan.

8.5.2 The current situation is however that the existing main premise and the premise in the single storey side element on the site have 1 off-street parking space between them. The proposed extension would add 18.9sq m of floorspace to the unit, which Appendix 4 of the South Ribble Local Plan confirms would attribute a requirement of 1 off-street car parking space for an A1 non-food retail use. The proposal would increase the current provision by 3 off-street car parking spaces. County Highways have also advised that they raise no objections to the proposed development, highlighting that the proposed development would not have “*severe impact on highway safety or capacity within the immediate vicinity of the site*” (a ‘severe impact’ is the national policy requirement to substantiate a refusal on highway safety grounds).

8.6 Other Issues

8.6.1 Neighbours have objected on the basis of a potential increase in noise and disturbance as a result of increased deliveries and more customers together with lack of waste storage details. The property however already benefits from an established and historic lawful commercial use within the A1 Use Class. Government guidance and the NPPF in relation to the use on planning conditions is clear in that conditions can only be imposed where they are directly relevant to the development to be permitted and reasonable in all other respects. With the application only being for a modest extension, resulting in a 13sq m increase in floor area, and the property already benefitting from a historical commercial lawful use, it would not be reasonable to impose conditions to control the wider planning unit when it is unlikely that the extension will materially impact on the overall use of the premise.

8.6.2 Alleged factual inaccuracies contained within the submission have been referred to by neighbours, specifically the existing parking situation, the ability to see the site from public vantage points, original references to the premise being proposed to be used as a restaurant, the number of future employees and use to be undertaken within the unit. The premise is currently vacant with the application being submitted by the owner. In such circumstances where the end user is currently speculative it is acknowledged that certain questions on the planning application form may not be answerable. The applicant is however clear on the matter of ownership and what is being applied for. In addition to signing the Certificate A declaration of ownership on the application form the applicant has separately confirmed that they have total ownership of the company which owns the premise.

8.6.3 Objectors have objected on the basis of the area already well served for large retail convenience stores. The application relates to the extension of an existing A1 Class unit which is not restricted solely to use as a convenience store and may be used for a multitude of purposes including retail shops, hairdressers and travel agents. Given the current lawful of the premise there is nothing currently to prevent the end user of the unit from being a retail convenience store.

8.7 CONCLUSION

8.7.1 The proposed erection of a single storey rear extension and a replacement mono-pitched roof over the existing single storey side extension on the commercial premise (Class A1) is considered to be acceptable. The proposed development is not considered to be out of character with the area and will not adversely affect the amenities of nearby residential properties. County Highways have advised that will be no significant highway safety implications as a result of the development. The proposed development is deemed to be in accord with Policies 1, 10 and 17 of the Core Strategy together with Policies B1 and G17 of the South Ribble Local Plan. The application is therefore recommended for approval subject to the imposition of conditions.

RECOMMENDATION:

Approval with Conditions.

RECOMMENDED CONDITIONS:

1. That the development 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. All external facing materials shall match in colour, form and texture to those on the existing building.

REASON: In the interests of the visual amenity of the area and so that the Local Planning Authority shall be satisfied as to the details in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan 2012-2026

3. The car parking spaces indicated on approved plan ref. 'Mason-2-1' shall remain free from development and be made available for the parking of vehicles at all times.

REASON: To ensure the provision and retention of adequate on-site parking in the interests of residential amenity and highway safety as required by Policy F1 and Policy G17 in the South Ribble Local Plan

4. No part of the development shall be occupied until all the highway works within the adopted highway have been constructed in accordance with a scheme that shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority as part of an appropriate legal agreement, under the Highways Act 1980. Reasons: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable.

REASON: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site and to enable all traffic to enter and leave the premises in a safe manner without causing a hazard to other road users and to be in accordance with Policy G17 in the South Ribble Local Plan 2012-2026.

5. During the site preparation and construction of the development no machinery, plant or powered tools shall be operated outside the hours of 08:00 to 18:00 Monday to Friday 09:00 - 13:00 on Saturdays. No construction shall take place at anytime on Sundays or nationally recognised Bank Holidays.

Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 17 of the Central Lancashire Core Strategy.

6. The development, hereby permitted, shall be carried out in accordance with the submitted approved plans 'Mason-1-1' and 'Mason-2-1'.

REASON: To ensure a satisfactory standard of development in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G17 of the South Ribble Local Plan.

RELEVANT POLICY

- 1 Locating Growth (Core Strategy Policy)**
- 10 Employment Premises and Sites (Core Strategy Policy)**
- 17 Design of New Buildings (Core Strategy Policy)**

POLB1 Existing Built-Up Areas

Note:

1. The amended vehicular access, within the adopted highway will need to be constructed under a section 184 agreement of the 1980 Highways Act (Vehicle crossings over footways and verges), The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant is advised to contact LCC before works begin on site. Further information and advice can be found at www.lancashire.gov.uk and search for "vehicular crossings".

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