

Planning Committee

Thursday, 13th January, 2022, 6.00 pm

Shield Room, Civic Centre, West Paddock, Leyland PR25 1DH

Agenda

[The proceedings will be livestreamed to YouTube and can be watched by clicking here.](#)

Anyone who wishes to speak on an application must register by email to democraticservices@southribble.gov.uk or by telephone to 01772 625563 no later than 12 noon, two working days prior to the meeting. Further information on speaking procedures can be found at the front of the agenda pack.

Please note that social distancing and mask-wearing guidelines remain in place in the Civic Centre.

All attendees are politely reminded that space is extremely limited due to social distancing and admittance to the meeting room will be on a first come, first served basis.

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 judgment 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 meeting Thursday, 9 December 2021 of Planning Committee

To be approved as a correct record for signing by the Chair.

(Pages 5 - 8)

5	Appeal Decisions	(Verbal Report)
	An update will be provided at the meeting.	
6	07/2021/01122/FUL - 'Rose of Farington', 59 Stanifield Lane, Leyland	(Pages 9 - 22)
	Report of the Director of Planning and Development attached.	
7	07/2021/00942/FUL - 55 Towngate, Leyland	(Pages 23 - 28)
	Report of the Director of Planning and Development attached.	

Gary Hall
Chief Executive

Electronic agendas sent to Members of the Planning Committee Councillors Caleb Tomlinson (Chair), Mal Donoghue (Vice-Chair), Will Adams, James Flannery, Mary Green, Harry Hancock, Jon Hesketh, Clare Hunter, Chris Lomax, Caroline Moon, Phil Smith, Gareth Watson and Barrie Yates

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

Forthcoming Meetings

6.00 pm Thursday, 10 February 2022 - 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.
- Ward 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.

- Anyone wishing to speak on an application must register by email to democraticservices@southribble.gov.uk or by telephone to 01772 625563 no later than 12 noon, two working days prior to the meeting.
- Speakers will be allocated on a first come first served basis.
- 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	Thursday, 9 December 2021
Committee members present:	Councillors Caleb Tomlinson (Chair), Mal Donoghue (Vice-Chair), Will Adams, Damian Bretherton, James Flannery, Mary Green, Harry Hancock, Jon Hesketh, Clare Hunter, Chris Lomax, Caroline Moon and Gareth Watson
Committee members attended virtually (non-voting):	None
Officers present:	Steven Brown (Head of Development Management), Jodi Ingram (Senior Solicitor), Chris Sowerby (Development Planning Team Leader), Debbie Roberts (Senior Planning Officer), Emma Sheppard (Planning Consultant) and Charlotte Lynch (Democratic and Member Services Officer)
Other attendees:	Councillor Bill Evans
Public:	3

77 Welcome and Introduction

The Chair, Councillor Caleb Tomlinson, welcomed members of the public to the meeting, introduced the committee and explained that the meeting was being livestreamed to YouTube and held with COVID-secure measures in place.

78 Apologies for Absence

Apologies for absence were received from Councillors Phil Smith and Barrie Yates.

Councillor Damian Bretherton attended as substitute.

79 Declarations of Interest

Councillor Bill Evans declared a personal interest on Item 8 – 2 Maplewood Close, Leyland – which he was registered to speak on.

80 Minutes of meeting Thursday, 11 November 2021 of Planning Committee

Resolved: (For: 8 Abstain: 4)

For: Councillors Adams, Flannery, Mary Green, Hancock, Hesketh, Lomax, Caleb Tomlinson, and Watson

Abstain: Councillors Bretherton, Donoghue, Hunter, and Moon.

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That the minutes of the meeting held on Thursday, 11 November 2021, be approved as a correct record for signing by the Chair.

81 Minutes of meeting Monday, 29 November 2021 of Planning Committee

Resolved: (For: 10 Abstain: 2)

For: Councillors Adams, Donoghue, Flannery, Mary Green, Hancock, Hesketh, Hunter, Lomax, Caleb Tomlinson, and Watson

Abstain: Councillors Bretherton and Moon.

That the minutes of the meeting held on Monday, 29 November 2021, be approved as a correct record for signing by the Chair.

82 Appeal Decisions

There were none to report.

83 07/2020/01063/FUL - Land to the east of Reynard Close, Longton

Speakers: None

Address: Land to the east of Reynard Close
Longton

Applicant: Longton Developments Ltd.

Agent: Mr Phil Garner
Garner Town Planning Ltd.
High Lane House
148 Buxton Road
High Lane
Stockport

Development: Erection of 14 new residential units with associated garages and works, and new access from Reynard Close.

The officer recommendation was proposed by Councillor Jon Hesketh, seconded by Councillor James Flannery, and subsequently

Resolved: (Unanimously)

That

1. Members are minded to approve the application and
2. the decision is delegated to the Director of Planning and Development in consultation with the Chair and Vice-Chair of the Planning Committee upon successful completion of public consultation and a legal agreement to secure a public open space contribution.

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84 07/2021/01041/FUL - 2 Maplewood Close, Leyland

Speakers: 1 objector, Councillors Bill Evans and Jane Bell (by written representation) and the Applicant

Address: 2 Maplewood Close
Leyland
Lancashire
PR25 1HP

Applicant: Northridge Care Group Ltd.

Agent: Mr Graham Lea
Office 5 Newlands House
60 Chain House Lane
Whitestake
Preston
PR4 4LG

Development: Change of use of C3 dwelling to C2 residential institution (to accommodate three children, aged 8-17 with carers) (amended description)

The officer recommendation was proposed by Councillor Jon Hesketh, seconded by Councillor Will Adams, and subsequently

Resolved: (Unanimously)

That the application be approved subject to conditions outlined in the report.

85 07/2021/00945/FUL - 84 Hough Lane, Leyland

Speakers: None

Address: 84 Hough Lane
Leyland
Lancashire
PR25 2YB

Applicant: Mr K Ali

Agent: Martin Spencer
47 Station Road
New Longton
Preston
PR1 0XH

Development: Change of use of existing café/restaurant to a mixed use restaurant and takeaway (Sui Generis) together with installation of external ventilation duct

The officer recommendation was proposed by Councillor Will Adams, seconded by Councillor Jon Hesketh, and subsequently

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Resolved: (Unanimously)

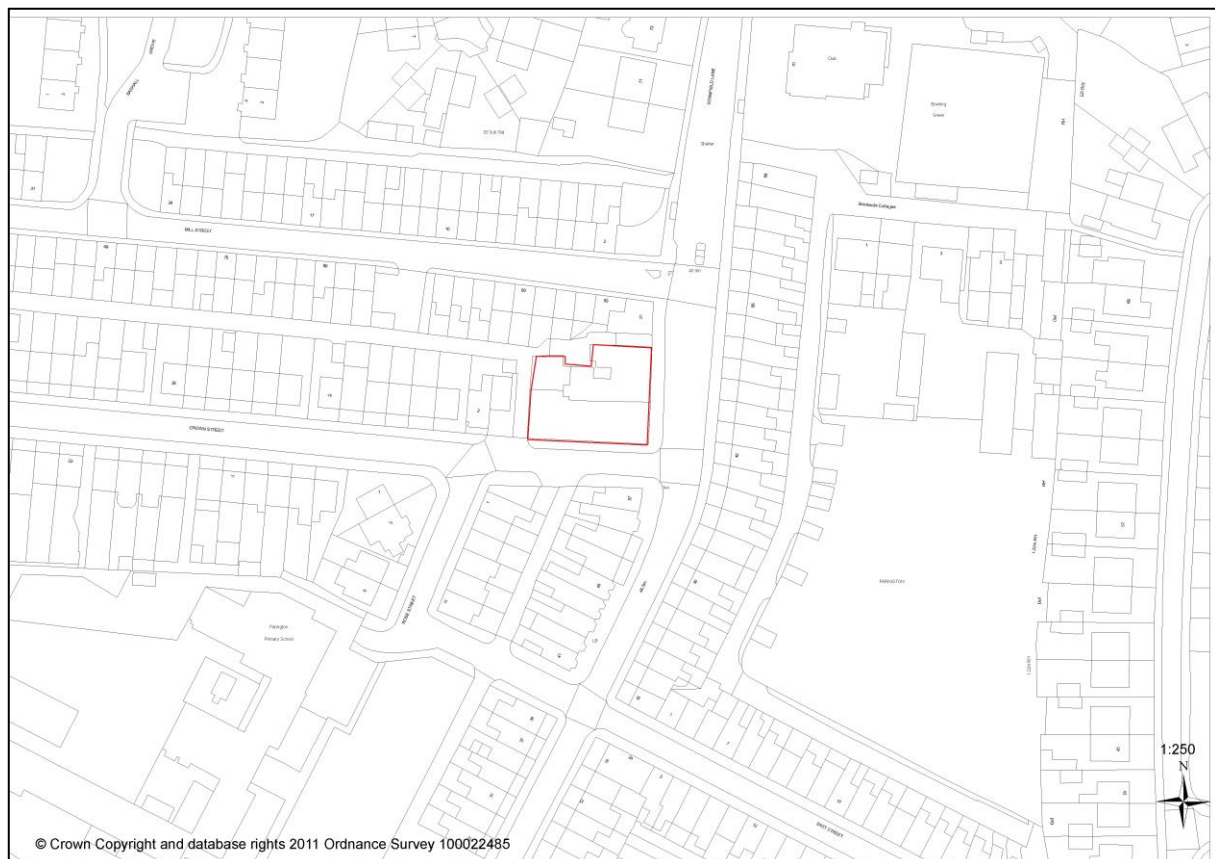
That the application be approved subject to conditions outlined in the report.

Chair

Date

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Application Number	07/2021/01122/FUL
Address	'Rose of Farington', 59 Stanifield Lane, Leyland
Applicant	Fylde Investments Ltd
Agent	Mr Jake Salisbury Graham Anthony Associates 2 Croston Villa High street Garstang, PR3 1EA
Development	Change of use from A4 (drinking establishment - now sui-generis use class) to C3 (residential). Conversion and extension following demolition of rear extension to create 10 apartments at the former Rose of Farington
Officer Recommendation	Approval with Conditions
Officer	Mrs Debbie Roberts
Date application valid	03.11.2021
Target Determination Date	16.2.2021
Extension of Time	17.1.2022



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1. Introduction

1.1 This application has been brought before Committee at the request of the Ward Councillor

2. Report Summary

2.1. The application relates to the Rose of Farington public house at the corner of Stanifield Lane and Crown Street; a densely populated, primarily residential locale allocated as existing built up area by Policy B1 of the South Ribble Local Plan.

2.2. The applicant proposes change of use and extension of the building to provide for 10 apartments as described below. A small extension at the rear would also be demolished. The owner has been relaxed in the past about use of the adjacent car park by unrelated local residents and business users, but the car park is private land, and would be retained for the use of future occupants as off-road parking if approved. In that respect the proposal is expected to be self-contained in terms of parking need on adjacent streets. In the main the existing pub structure would remain the same other than being upgraded and extended, to the betterment of the area and its very prominent street scene position.

2.3. In response to publicity 11 letters of representation have been received - 10 in objection and 1 supporting. There are no statutory objections, but comments raised by consultees have been dealt with either by amendments to the scheme or by condition

2.4. In policy and spatial separation terms the proposal is considered compliant, and having regard to the comments of statutory bodies and the above commentary, it is recommended that the application should be **approved subject to the imposition of conditions**

3. Application Site and Surrounding Area

3.1. The application refers to the Rose of Farington public house located at the junction of Stanifield Lane and Crown Street, Farington

3.2. The building is of traditional appearance but has ad-hoc extensions at the rear. Pedestrian access is directly from Stanifield Lane, but there is secondary access from the southern side into the pub and to five bedroomed managers accommodation at first floor.

3.3. A small car park and screened amenity/smoking area are present on the southern side, and paved amenity space screened by fencing is at the rear (west). An alleyway separates the adjoining property in the north but rooms belonging to the neighbour sit above the alley and connect; neither alley nor rooms are included in this application. A driveway/alley runs at the rear providing access to the rear of properties on Mill and Crown Street. Residential and commercial properties including Farington's small Local Retail Centre are also present on all sides.

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

4. Site Context / Planning History

- 07/2007/1076/FUL – Smoking shelter to side. Refused Jan 2008
- 07/2014/0381/FUL – erection of smoking shelter in car park. Withdrawn June 2017

5. **Proposal**

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5.1. The applicant seeks permission for conversion of the Rose of Farington public house and five bedroomed managers flat, to 10 apartments, following extension and demolition of a small structure at the rear. The proposal is as follows:

5.2. Overall the proposal would comprise 9 x 1 bed and 1 x 2 bed apartments. The ground floor (including extension) would accommodate 4 apartments (3 x 1 bed and 1 x 2 bed) with communal entrance and stairwell areas accessed from Stanifield Lane. The first floor would be home to 4 x 1 bed apartments and the attic space would be converted to hold 2 x 1 bed flats; the roof would remain the same height.

5.3. Two dormers are proposed to the rear of the attic space to afford additional head room. These would be 4.5m x 3.5m and 6m x 3.5m, and each would have bedroom and en-suite windows facing westwards.

5.4. On the southern side (currently partially screened amenity space) would be a two-storey extension. This would be 7m deep, projecting by 9m and with a pitched roof measuring no more than 8m; set down from the main roof by 800mm. Eaves would line through with the existing at 6m high. Independent access into the extension is proposed from the front for apartments 4 and 8. The extension would be constructed in red brick to blend in with the wider street scene, whilst complementing the rendered pub building.

5.5. The car park to the south would be retained and can accommodate 6 or 7 cars accessed off Crown Street. Additional windows would be installed but in the main the existing pub structure would remain the same other than being upgraded and extended.

5.6. The applicant has provided information which whilst commercially sensitive (confidential) does explain that although the proprietor has tried to maintain a successful business, it is for a number of reasons financially unstable. The proposal before you therefore aims to find a long term viable use to prevent the property from becoming vacant and in time open to vandalism and dereliction.

6. Summary of Supporting Documents

6.1. The application is accompanied by the documentation noted in proposed condition 2 (below)

7. Representations

7.1. Summary of Publicity

7.1.1. A site notice has been posted, and 35 neighbouring properties consulted.

7.2. Letters of Objection or Support

7.2.1. 10 letters of objection and 1 in support have been received. Comments in summary are

7.3. In Objection

Highways

- Existing problems with parking and traffic congestion in the area
- Loss of car parking spaces to residents
- Pub clients usually use the bus – this will change as residents park at the premises
- Difficult one-way system
- Safety of residents and school children from increased traffic
- ‘loss of established chippy’ as customers do not have a parking area and use the pub car park
- Loss of the alleyway between Mill Street and Crown Street as residents use for parking
- There is no off-road parking for occupants of the apartments

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Residential Amenity

- Noise from pub is already a problem and will get worse
- Respondent moved to Farington for its '*cleanliness*'
- Increase in anti-social behaviour
- '*Distress caused by unruly tenants*'
- Disruption to existing residents by temporary tenants – other similar schemes cause problems
- '*I am concerned about the type of people who will live in these properties. There needs to be a high vetting system to ensure tenants are in professional career and don't attract anti-social behaviour*'
- The area is '*already rough enough with rental to people with anti-social behaviour and drug possession*'
- Proposal will not result in a positive contribution to the community
- Young people need gardens and space to live – poor quality green space
- Lost light, privacy and light pollution to occupants of no's 90-93 Mill Street

Other

- Loss of community facility and community 'feel'
- Apartments would be too close to the primary school
- Application is all about greed
- Elderly people won't know about the consultation or proposal
- Concerns about the changes to the exterior, and loss of Farington heritage
- Loss of home for the Landlord/Manager – *Officer Note: Representation received in support from the Manager*
- Increase of blocked drains and reduced sanitation
- '*Improper use of communal bins will result in rats*'

Officer Comment: The applicant has provided for off road parking in the existing car park, and to standards required of the Highways Authority. The pub car park is also private land which unrelated local businesses should not depend on for their survival; the owner being at liberty to prevent access at any time. Parking in the access to the rear of Mill and Crown Streets would be subject to usual highway restrictions.

There is no evidence to suggest that these properties would be used for any particular demographic, or that apartments would be more likely to be inhabited by occupants who display anti-social tendencies than any other dwelling. The applicant has not stated that apartments would be social or affordable units and such assumptions are purely supposition. Issues of amenity and privacy are considered below.

7.4. *In Support*

- If development is tasteful and upgrades the existing property it would be good to see it cared for again

Comments made which are not material planning considerations relevant to this proposal and have not been taken into account

- Loss of property value
- Too many houses already being built, and properties being converted in Leyland
- Decision is '*signed and sealed*' already

8. Summary of Responses

Lancashire County Council Highways has no objections to the proposal which they feel will have a negligible impact upon highway safety or capacity. The site already has a utilised car park, and whilst off street parking guidelines for South Ribble cannot be achieved at this location consideration should be given to the site's accessibility. The site has close proximity

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to the Leyland Railway Station and main bus route, and if adequate provision for cycle storage was to be provided this would be another alternative means of sustainable transport. The site is also surrounded by good pedestrian footways. Also, the change of use from an A4 (pub) to C3 (dwelling) development should mean there is less transient traffic to the site. Therefore, LCC have no objections providing conditions relating to car park retention, construction management and cycle storage are imposed.

8.1. Environmental Health have no objection but accept that conditions relating to construction management and hours of construction are necessary.

8.2. United Utilities have no objection to the proposal subject to drainage to sustainable standards. Conditions to this effect are proposed. A water main also crosses the site and UU will not allow building over, but a check of the UU mapping system appears to show that UU assets would be far enough away so as not to affect this decision. As assets may however not be mapped exactly as shown contact details for UU have been passed to the applicant who is advised to liaise with UU directly prior to any construction start.

8.3. Lead Local Flood Authority – as a net increase of 9 units this proposal is below the threshold of involvement of the LLFA

9. Material Considerations

9.1. Site Allocation Policy

9.1.1. The site is designated as existing built up area by Policy B1 of the South Ribble Local Plan. Policy B1 supports development which complies with other plan requirements relating to access, parking provision and servicing; which would be in keeping with the character and appearance of the area, and would not adversely affect the amenity of nearby residents. Local Plan Policy G17 (Design) and the South Ribble Residential Design SPD echoes these sentiments but in a more prescribed manner

9.2. Site Allocation

9.2.1. The site is designated under Policy B1 of the South Ribble Local Plan as Existing Built Up Area

9.2.2. **Policy B1** allows for redevelopment in allocated areas provided that proposals would comply with local plan requirements relating to access, parking and servicing; would be in keeping with the character and appearance of the area, and would not adversely affect the amenity of nearby residents.

9.3. Policy Background

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

9.3.1. *National Planning Policy Framework (2021)*

- The NPPF states that '*at the heart of the framework is a presumption in favour of sustainable development*'. The NPPF supports sustainable economic growth to deliver, amongst other things, homes, and given the sites location it is the Officer's view that the site is especially sustainable and that the development accords with the overall principles of the NPPF; in particular:

- **Chapter 5: Delivering a Sufficient Supply of Homes** - to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is

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developed without unnecessary delay. Within this context, the size, type and tenure of housing needed for different communities must be taken into account.

- **Chapter 12: Achieving Well Designed Places** – the creation of high-quality buildings is fundamental to what the planning and development process should achieve; good design being a key aspect of sustainable development.

9.3.2. Central Lancashire Core Strategy

- Policy MP: states that Councils will take a proactive approach which reflects the NPPF's presumption in favour of sustainable development, and that applications which accord with the policies of the Local Plan will be approved without delay unless material considerations indicate otherwise.
- **Policy 1: Locating Growth** focusses growth and investment on well-located, brownfield sites within key service and urban areas of the Borough; one of which is Leyland.
- **Policies 4: Housing Delivery** and **5: Housing Density** provide for, and manage the delivery of new housing, of a density and design which are in keeping with, and will have no detrimental impact on the amenity, character, appearance, distinctiveness and environmental quality of the area
- **Policies 6: Housing Quality** and **27: Sustainable Resources and New Development** both aim to improve the quality of housing by facilitating higher standards of construction, greater accessibility and ensuring that sustainable resources are incorporated into new development.
- **Policy 17: Design of New Buildings** requires new development to take account of the character and appearance of the local area.

9.3.3. South Ribble Local Plan

In addition to site allocation policies B1 (above), the following are also pertinent:

- **Policy A1: Developer Contributions** – new development is expected to contribute towards mitigation of impact upon infrastructure, services and the environment, by way of Section 106 agreement and/or CIL contributions.
- **Policy F1: Parking Standards** requires all development proposals to provide car parking and servicing space in accordance with parking standards adopted by the Council.
- **Policy G10: Green Infrastructure** states that all new residential development resulting in a net gain of 5 dwellings must provide sufficient green infrastructure to meet the recreational needs of the development, in accordance with specific but flexible standards; effectively mirroring Para 73: of the NPPF
- **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.
- **Chapter J: Tackling Climate Change** looks to reduce energy use and carbon dioxide emissions in new developments; encouraging the use of renewable energy sources.
- *South Ribble Residential Design SPD* discusses design in very specific terms. Whilst more attuned to residential extensions this document is also used to assist with the design of new build residential development and with regards to separation with properties beyond the site bounds.

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- *Central Lancashire Open Space and Playing Pitch SPD* advises on provision and retention of open space in existing and proposed developments

9.4. Impact of Development on Neighbouring Properties

9.4.1. The South Ribble Residential Design SPD requires that any habitable room shall be more than 13m from any facing blank or gable wall, and that habitable rooms directly facing the same in another property shall enjoy 21m or more spatial separation. These minimum distances prevent any loss of privacy or overlooking to current or future residents.

9.4.2. In the south are 57 Stanifield Lane (take away) whose side elevation with shop and upstairs window would be 13m from the proposed blank extension side wall. West of this property is no: 1 Rose Street whose side wall (obscurely glazed landing) has an angled orientation with the proposed extension at between 28m and 33m

9.4.3. East of the proposal are terraced properties which benefit from between 21m and 25m from existing and proposed rooms; many of which retain the same use as the existing managers accommodation.

9.4.4. West of the site is no: 2 Crown Street whose single storey side extension would be 12m (ground), 22m (first) and 23m (dormers) from the existing property. A new, secondary lounge window is proposed at ground floor but would be partially screened by existing fences. As this ground floor window is substandard in separation terms however a condition to obscurely glaze is considered necessary should permission be granted

9.4.5. Windows on the rear elevation facing north towards the rear of 85-93 Mill Street, and the bedroom window to Apartment 5 would be between 15m and 45m from neighbouring properties; all of which have a bedroom and bathroom window at first floor. Whilst some of these are below the established standards, it has to be acknowledged that the rooms proposed uses (bedrooms, kitchen and hallway) remain as per the existing managers flat. Bedroom 2 of the managers flat would be changed to a stairwell which is expected to be a less impactful use. The closest dormer window (en-suite) would be between 19m and 53m indirect distance from this terrace, with the nearest bedroom being around 20.5m away. Proposed extension windows would be screened by the existing rear section of the property. Having regard to the existing use and orientation of these rooms, impact as a result of development is not expected to differ from that which already occurs.

9.4.5..1. It should also be noted that had the property been previously in retail, office, café/restaurant (as opposed to drinking establishment) or any of the D class assembly and recreational uses, permission for conversion of the main building into apartments would not have needed planning permission (Town and Country Planning General Permitted Development Order 2015 Schedule 2, Part 3 Class MA)

9.4.6. Inter-relationships between existing and proposed properties accord with the requirements of the South Ribble Residential Design Guide SPD and on balance, any loss of privacy, general amenity or unacceptable overlooking as a result of this development is expected to be no greater than the existing situation

9.5. Design, Character & Appearance

9.5.1. Local Plan 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; and that proposals respect local character, reflect local distinctiveness, and offer appropriate levels of parking and servicing space in line with Local Plan Policy F1 (Parking Standards). The Residential Design SPD reflects these sentiments but in a more prescribed manner.

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9.5.2. In consideration of the above, local distinctiveness and character of the area have been assessed. This part of Leyland is a relatively traditional locale comprising mainly terraced mill cottages and buildings of the late C19th. This proposal upgrades a very tired property, re-uses a brownfield site which currently affects the visual amenity of the area and introduces a modern extension which relates well to the parent building. A building with a very similar external appearance has been constructed at the Railway Inn on Preston Road (300m south) which works well, and overall the proposal should not result in visual detriment to the character and appearance of the area.

9.6. Highways, Suitability of Access, Parking Arrangements and Sustainable Location

9.6.1. In very general terms sustainable developments are easily accessible, contribute to the social and economic values of the area, and protect or support the environment by constructing using sustainable materials and processes. In line with the NPPF (2021) presumption in favour of sustainable development, Chapter 9 also actively promotes the inclusion of sustainable transport in any new development, so as to '*promote walking, cycling and public transport in locations which are or can be made sustainable*' (Para's 102 & 103). As such, the following are relevant:

9.6.2. The site is within accessible, walking distance of local shops, services and amenities, and is immediately adjacent to Farington Local Retail Centre. There are 10 primary and three secondary schools within one mile – Farington primary being only 60m west, and three GP/six dental surgeries within the same distance. Leyland Town Centre is 500m away, and there are 5 railway stations within 2 miles; Leyland station is 320m south. A bus route runs along Stanifeld Lane with a bus stop only 25m north on both sides of the road. From a sustainability transport perspective, the proposal site is considered more than acceptable.

9.6.3. NPPF 2021 Para 111 states that '*development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*'. On this basis and taking into account the existing use, the highways authority finds that the proposal should not result in unacceptable impact on the safety or capacity of the highway, or reduction in off road parking; particularly in such a sustainable location. As impact cannot in any way be considered to be severe, in highway terms the proposal is considered appropriate.

9.7. Drainage

9.7.1. Drainage proposals and potential flood risk have been assessed by United Utilities whose comments are noted above.

9.8. Planning Obligations

9.8.1. Local Plan Policy A1 (Developer Contributions) expects most new development to contribute towards mitigation against impact on infrastructure, services and the environment. Contributions where appropriate would be secured through planning obligations (Section 106 agreement) and/or Community Infrastructure Levy.

9.8.2. *Affordable Housing* - Core Strategy Policy 7 (Affordable and Special Needs Housing) requires market housing developments resulting in a net gain of more than 14 units to provide an affordable housing contribution of 30% in urban areas. As this scheme is below this threshold affordable housing is not required

9.8.3. *Community Infrastructure Levy* – whilst CIL is payable on most approved properties, it is not payable on apartments. CIL is therefore not required from this development.

Public Open Space – The Central Lancashire Open Space and Playing Pitch SPD states at Para 26 that '*In South Ribble, open space and playing pitch provision or a financial contribution will only be required on residential developments resulting in a net gain of five or*

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more dwellings'. This threshold was later changed to 10 units in line with the NPPF, and as there is only a net gain of 9 units POS would not be due.

Conclusion

9.1 Although there has been some objection to the proposal, each of the residents' concerns – where these are material planning considerations – are justified in the above commentary. The proposal introduces domestic use into a primarily residential area, and an extension which would not compromise the existing parking provision, would relate well to the main building and which as part of the overall scheme would bring back into full use a disheveled building. County Highways have fully assessed the application and have raised no objections to the proposed development in principle and subject to conditions.

9.2 The proposed re-development of no: 59 Stanifield Lane in officers opinion would therefore not impact unduly upon the amenity of neighbouring properties, the character and appearance of the area or highways safety and capacity. It is compliant with Local Plan Policy B1.

9.3 At the time of writing this report, and following full consultation, 11 letters of representation had been made - 1 in support and 10 objecting to the proposal. Statutory consultees have not objected but their comments have been addressed either by amendments to the proposal, or by condition.

9.4 On balance, the application complies with the relevant policies of the National Planning Policy Framework, Central Lancashire Core Strategy and Affordable Housing SPD, South Ribble Local Plan and Residential Extensions Design SPD. 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 following approved plans and suite of documents:
Proposal Drawings (GA Associates prefix GA3379-)
 - o Location Plan (LP-01A)
 - o Proposed floor and elevational plans (-002)
 - o Existing floor and elevation plans (-001)
 - o Existing site plan (-ESP-01)Design and planning statement (GA3379-26.10.21 GA Associates)
REASON: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with Policy 17 of the Central Lancashire Core Strategy and Local Plan 2012-2026 Policy G17
3. No building or use hereby permitted shall be occupied or the use commenced until the car parking area has been surfaced or paved in accordance with a scheme to be approved by the Local Planning Authority and the car parking spaces and manoeuvring areas marked out in accordance with the approved plan. The car parking area shall thereafter be kept free of obstruction and available for the parking cars at all times. Reason: To allow for the effective use of the parking areas in accordance with Local Plan Policy F1

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4. No development shall take place, including any works of demolition or site clearance, until a Construction Management Plan (CMP) or Construction Method Statement (CMS) has been submitted to, and approved in writing by the local planning authority. The approved plan / statement shall provide:
- o 24 Hour emergency contact number;
 - o Details of the parking of vehicles of site operatives and visitors;
 - o Measures to deal with dirt, debris, mud or loose material deposited on the highway as a result of construction;
 - o Measures to control the emission of dust and dirt during construction;
 - o Details of a scheme for recycling/disposing of waste resulting from demolition and construction works;
 - o Delivery, demolition and construction working hours.
 - o The approved Construction Management Plan or Construction Method Statement shall be adhered to throughout the construction period for the development.
- Reason: - In the interests of the safe operation of the adopted highway during the demolition and construction phases.
5. The development hereby approved shall not be brought into use until details of facilities for the storage of refuse and waste materials have been submitted to and approved by the Local Planning Authority and completed entirely in accordance with the approved scheme. Waste storage shall not be positioned on the existing car park. Materials shall not be stored 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 G17 in the South Ribble Local Plan and Paragraph B14.3 of the Residential Extensions Design SPD
6. Prior to first occupation of the last apartment hereby approved, details of cycle storage facilities to each property shall be agreed in writing with the Local Planning Authority. Once agreed these shall be installed prior to first use of the final apartment hereby approved and permanently maintained thereafter.
- REASON: To ensure the provision and retention of adequate on-site parking facilities and to accord with Policy F1 and Policy G17 in the South Ribble Local Plan 2012-2026
7. Prior to first occupation of the development hereby approved, a minimum of 10% of the communal parking spaces be fitted with Electric Vehicle Recharge points, including adequate charging infrastructure and cabling and specifically marked out for the use of Electric Vehicles
- REASON: To enable and encourage the use of alternative fuel use for transport purposes in accordance with Policy 3 of the Central Lancashire Core Strategy
8. The secondary lounge window to be fitted in ground floor of the side elevation facing no: 2 Rose Street (Apartment 3) shall be fitted with obscured glazing and retained at all times thereafter.
- REASON: To prevent undue overlooking and loss of privacy to the occupants of 2 Rose Street in the interests of the residential amenity of the occupiers of that property as required by Policy 17 in the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan 2012-2026

Agenda Item 6

9. Prior to the commencement of the development hereby approved a scheme for the disposal of foul water shall be submitted to and approved in writing by the Local Planning Authority. This scheme, which shall be maintained and managed in accordance with the approved details, shall be implemented during construction and no building shall be occupied until the approved scheme has been completed to serve that building
REASON: In order to satisfy the Local Planning Authority that the final details of proposed foul water drainage are acceptable before work commences on site, for avoidance of doubt and to safeguard local watercourses and avoid pollution of the water environment in accordance with Policy 29 in the Central Lancashire Core Strategy
10. No development shall commence until details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority.
REASON: In order to satisfy the Local Planning Authority that the final details of proposed drainage are acceptable before work commences on site, to reduce the risk of flooding, to protect the living conditions of future occupants of the site by ensuring satisfactory storage and/or disposal of surface water from the site, and for the avoidance of doubt in accordance with Policy 29 in the Central Lancashire Core Strategy with Policy 29 in the Central Lancashire Core Strategy
11. During construction and site clearance, no machinery, plant or power tools shall be operated where associated with construction outside the following times:
0800 hrs to 1800 hrs Monday to Friday
0900 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
12. No deliveries of construction materials or removal of construction waste shall be undertaken outside the hours of 08:00 - 17:00 Monday to Friday. No deliveries or waste removal shall be carried out at weekends or nationally recognised 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

RELEVANT POLICY

NPPF National Planning Policy Framework

Central Lancashire Core Strategy

- 1 Locating Growth
- 4 Housing Delivery
- 5 Housing Density
- 6 Housing Quality
- 17 Design of New Buildings
- 27 Sustainable Resources and New Developments

South Ribble Local Plan 2012-2026

- A1 Policy A1 Developer Contributions
- B1 Existing Built-Up Areas
- F1 Car Parking

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G17 Design Criteria for New Development

G10 Green Infrastructure Provision in Residential Developments

Residential Extensions Supplementary Planning Document

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 £116. The forms can be found on South Ribble Borough Council's website www.southribble.gov.uk

2. United Utilities Note 2: A separate metered supply to each unit will be required at the applicant's expense and all internal pipework must comply with current water supply (water fittings) regulations 1999. Please contact UU on 03456 723 723 regarding connection to the water mains or public sewers

United Utilities Note 3: For the avoidance of doubt, the planning permission hereby granted does not automatically grant permission to connect to the United Utilities sewer. Permission should be obtained from UU before commencement of work on site.

3. United Utilities property, assets and infrastructure

A water main crosses the site. As UU need unrestricted access for operating and maintaining it they will not permit development over or in close proximity to the main. UU require an access strip as detailed in our 'Standard Conditions for Works Adjacent to Pipelines'.

The applicant must comply with our 'Standard Conditions' document. This should be taken into account in the final site layout, or a diversion may be necessary. Unless there is specific provision within the title of the property or an associated easement, any necessary disconnection or diversion required as a result of any development will be at the applicant's expense. If considering a water mains diversion, the applicant should contact United Utilities at their earliest opportunity as they may find that the cost of mains diversion is prohibitive in the context of their development scheme. The Water Industry Act 1991 affords United Utilities specific rights in relation to the maintenance, repair, access and protection of our water infrastructure

Sections 158 & 159, outlines the right to inspect, maintain, adjust, repair or alter our mains. This includes carrying out any works incidental to any of those purposes. Service pipes are not our property and we have no record of them.

Under Section 174 of the Act it is an offence to intentionally or negligently interfere with any resource main or water main that causes damage to or has an effect on its use or operation. It is in accordance with this statutory provision that we provide standard conditions to assist developers when working in close proximity to our water mains.

Both during and post construction, there should be no additional load bearing capacity on the main without prior agreement from United Utilities. This would include earth movement and the transport and position of construction equipment and vehicles.

Where United Utilities' assets exist, the level of cover to the water mains and public sewers must not be compromised either during or after construction.

For advice regarding protection of United Utilities' assets, the applicant should contact the teams as follows:

Water assets - DeveloperServicesWater@uuplc.co.uk

Wastewater assets - WastewaterDeveloperServices@uuplc.co.uk

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It is the applicant's responsibility to investigate the possibility of any United Utilities' assets potentially impacted by their proposals and to demonstrate the exact relationship between any United Utilities' assets and the proposed development.

4. Ecology Note: The applicant is advised that under the terms of the Wildlife and Countryside Act 1981, and Countryside and Rights of Way Act 2000, it is an offence to disturb nesting birds, roosting birds or other protected species. The work hereby granted does not override the statutory protection afforded to these species and you are advised to seek expert advice if you suspect that any aspect of the development would disturb any protected species

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Agenda Item 7

Application Number 07/2021/00942/FUL

Address 55 Towngate, Leyland

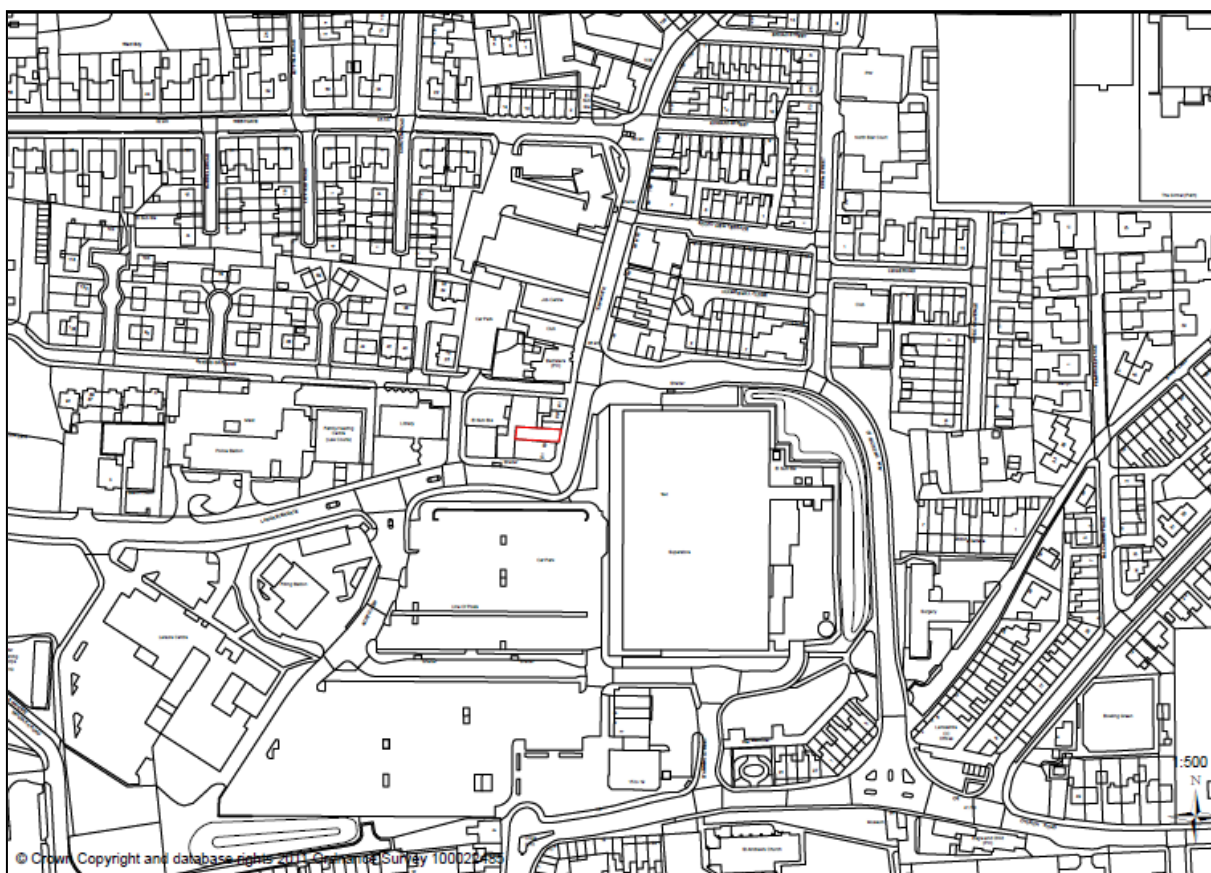
Applicant Starboard Dining Ltd

Agent Mr Adam Beamish
Beamish Planning Consultancy

Development Change of use of ground floor of former betting shop (Sui Generis) to hot food takeaway (Sui Generis), replacement shopfront, and installation of a plant and extraction system

Officer Recommendation **Approval with conditions**

Date application valid 14.10.2021
Target Determination Date 28.10.2021
Extension of Time 17.01.2021



Agenda Item 7

1. Report Summary

1.1. The application seeks permission to change the use of 55 Towngate, Leyland from a former bookmaker (Sui Generis) to hot food takeaway (also Sui Generis), with alterations to the shop front and installation of extraction and acoustic measures.

1.2. In response to publicity representation has not been received. Comments raised by statutory consultees have been dealt with either by amendments to the scheme or by condition

1.3. In policy and spatial separation terms the proposal is considered compliant, and having regard to the comments of statutory bodies and the above commentary, it is recommended that the application should be **approved subject to the imposition of conditions**

2. Application Site and Surrounding Area

2.1. The application refers to a mid-terraced, two storey commercial property located at the southern end of Towngate, Leyland. The ground floor covers 96m² floor area and was until Dec 2020 used as a bookmaker, with the first floor being in use as a physiotherapist; although there is no permission in place for this use.

2.2. In the east across Towngate is Tesco superstore which opens 24hrs. Attached in the north is a cycle sale shop and attached south is a disability aids retail unit; first floors of both properties are in commercial use. To the west are the side elevation of Wonderland Chinese restaurant and a small service yard/private car park with access to the application property's rear elevation.

2.3. Bus stops are present within an easy walk, but Tesco car park and a smaller public car park are 30m south and north-west respectively. The closest residential properties lie around 90m away across the public car park and on St Andrews Way

2.4. The site is designated as part of the Secondary Retail Area by Policy E3 (Leyland Town Centre) of the South Ribble Local Plan.

3. Site Context / Planning History

3.1. There are 9 planning applications on the history of this site, but none are relevant other than 07/2010/0101/COU for change of use of the attached cycle shop which was approved by Committee, but was not implemented and has since expired.

4. Proposal

4.1. The applicant seeks permission for change of use from former bookmaker (Use Class Sui Generis) to hot food takeaway – also Sui Generis Class. Unlike other classes there is no transferability between uses in the Sui Generis class. The proposal also includes alterations to the shop front, installation of extraction and ventilation equipment and advertisement, although the latter has been approved by a separate delegated application.

4.2. *Change of Use* – The proposal seeks change of use to a hot food takeaway (Pizza Hut) with the potential for 7 full time and 14 part time employees. Proposed opening is 11am till 11pm daily, and whilst this seems slightly excessive a check of properties in the vicinity finds that few have time restrictions and immediate neighbours can open 24hrs a day including Wonderland restaurant. Environmental Health do not object to opening hours. The ground floor would comprise counter and service areas at the front, kitchens to the centre and store/office space at the rear. A door to the rear would be retained

4.3. *Replacement Shop Front* - the existing shop front is a large window with a single door on the right. The new shop front would be similar other than a double door to the centre

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4.4. *Extraction/Ventilation Equipment* – Plant would be mostly internally installed, but on the rear elevation at ground floor would be condenser units. Extraction vents would also be installed into the side elevation. Similar venting equipment is already present on the first-floor side wall.

5. Summary of Supporting Documents

5.1. The application is accompanied by the suite of documents listed in condition 2

6. Representations

6.1. Summary of Publicity

6.1.1.A site notice has been posted, and 6 neighbouring properties consulted. Ward Councillors Bylinski Gelder and Forrest have also been notified

6.2. Letters of Objection or Support

6.2.1. None received

7. Summary of Responses

Lancashire County Council Highways - LCC note that whilst there is no parking in front of the proposed site, there is ample public car parking available in the immediate vicinity. LCC have reviewed the five-year data base for Personal Injury Accident (PIA) which indicates that this location has had a good road safety record for the last five years, and although proposed development will result in increased traffic to the site they feel that the proposals town centre location should have a negligible impact on highway safety and highway capacity. LCC has no highway objections to this planning application.

7.1. Lancashire Constabulary have been contacted twice but have not commented. They do only respond however when they have relevant comments to make.

Environmental Health – subject to works in accordance with the approved acoustic report prior to first use of the property, Environmental health do not object

8. Material Considerations

8.1. Site Allocation Policy

8.1.1. The site is designated as part of Leyland's Secondary Retail Centre by Policy E3 (Leyland Town Centre) of the South Ribble Local Plan

8.1.2. Policy E3 when referring to the secondary frontage states that retail premises in the former A1:retail, A3:Café/restaurant and A4:Drinking establishment classes (since Sept 2020 Classes E and Sui Generis) should be protected to maintain the vitality and viability of the area. Such uses should only be lost where the applicant can provide a 6-month marketing assessment to show that premises cannot be retained in their current use.

8.1.3. Policy E3 also states that where existing properties are re-developed, the new use should use either existing car park facilities in the town centre, or provide off road car parking of their own where this is not possible

8.1.4. As the former use was not in the aforementioned classes, a marketing assessment would not be required although the Council's Business Rates team confirms that the property has been empty since December 2020. There would be no reduction in overall retail uses, and when taking into account the current economic climate Officers support the reuse of a vacant property which would be better in a

Agenda Item 7

sustainable use than being a gap in the retail frontage. In terms of Policy E3 the scheme is considered to be compliant

8.2. Additional Policy Background

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

8.2.1. National Planning Policy Framework (2021)

8.2.1.1. Chapter 6 (Building a strong, competitive economy) - Planning should help create 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 needs and wider opportunities for development.

8.2.1.2. Chapter 7 (Ensuring the vitality of town centres) - planning should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. Planning policies should define a hierarchy of town centres and promote their long-term vitality and viability – by allowing them to grow and diversify in a way that can respond to rapid changes, allows a suitable mix of uses and reflects their distinctive characters

8.2.1. South Ribble Local Plan

8.2.1.1. Policy G17 (Design) attaches great importance to the design of the built environment, requiring proposals to take account of the character, appearance and amenity of the local area, and to highways and pedestrian safety.

8.2.1.2. Policy F1 (Parking Standards) requires all development to provide off road parking in some form to adoptable standards

8.3. Other Material Considerations

8.3.1. *Character and Appearance, and Impact Upon Neighbouring Properties*

8.3.1.1. The proposal will allow for re-use and renovation of an empty building in a prominent position within an allocated retail centre. Changes to both outside and interior are minimal other than for erection of necessary extraction infrastructure and minor changes to the shop front. Extraction plant would be located at the rear in a private service yard, and on a wall where the same is already present. The proposal would also allow for continued use and local employment albeit in a different form. In design terms the scheme is considered acceptable and is unlikely to impact negatively on the character and appearance of the area.

9. Conclusion

9.1. In policy and spatial separation terms the proposal is considered compliant, and having regard to the comments of statutory bodies and the above commentary, it is recommended that the application should be **approved 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.

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2. The development hereby permitted shall be carried out in accordance with the following approved plans and suite of documents:

- . Planning statement
- . Environmental Noise Survey and Noise Impact Assessment for Proposed Fixed Plan (Acoustic Consultancy Partnership: 11676/Rev 0)

Proposal Drawings

- o Existing front elevations (RDS 1.3)
- o Existing general arrangement (RDS 1.1)
- o Existing rear elevation (RDS 1.4)
- o HVAC general arrangement (Ashworth 0000/M/100/B)
- o Location Plan (RDS 1.0)
- o Proposed ground floor (RDS 2.0)
- o Proposed front elevation (RDS 2.1)

REASON: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with Policy 17 of the Central Lancashire Core Strategy and Local Plan 2012-2026 Policy G17

3. Prior to first use of the premises as a hot food takeaway, noise mitigation as detailed in approved Environmental Noise Survey and Noise Impact Assessment for Proposed Fixed Plan (Acoustic Consultancy Partnership: 11676/Rev 0) shall be installed and retained thereafter unless otherwise agreed with the local planning authority

REASON: In the interests of the amenity of neighbouring residents in accordance with Local Plan Policy G17

4. The premises hereby approved, shall not be open to customers outside the hours of 11am to 11pm daily unless otherwise agreed in writing with the Local Planning Authority

REASON: In the interests of the amenity of nearby residential properties in accordance with Policy 17 in the Central Lancashire Core Strategy

5. 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

RELEVANT POLICY

NPPF National Planning Policy Framework

South Ribble Local Plan

E3 Leyland Town Centre

F1 Car Parking

G17 Design Criteria for New Development

Note:

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 £116. The forms can be found on South Ribble Borough Council's website www.southribble.gov.uk

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