

Application Number 07/2020/00275/FUL

Address 80 Stanifield Lane
Farington
Preston
Lancashire
PR25 4GA

Applicant Mrs Louise Parkinson

Agent Mr Mike Palmer

68 Kingsway
Penwortham
PR1 0ED

Development Change of use of ground floor from shop (Use Class A1) to hot food takeaway (Use Class A5) together with alterations to shop front

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

Date application valid 16.03.2020
Target Determination Date 11.05.2020
Extension of Time



1. Report Summary

1.1. This applicant seeks permission to change the use of the property from shop (A1) to a hot food takeaway (A5) selling a range of hot and cold takeaway food.

1.2 The application also proposes alterations to the shop front.

1.3 The premises would employ two full time and one part-time staff member with proposed opening hours of 07:30 to 15:00 Monday to Friday, 07:30 to 14:00 Saturday; the premises will be closed on a Sunday and Bank Holidays.

1.4 Off road parking is available for customers to the site frontage with limited on road parking available opposite.

1.5 At the time of writing the report, 15 letters of representation have been received, 11 objecting and 4 in support.

1.6 There is no doubt that this proposal has the potential to impact upon neighbouring properties, but concerns of the Environmental Health team relating to noise and odour to adjacent residential properties have been addressed. Off road parking is available to the site frontage and time limited on street parking is available opposite the site.

1.7 On balance and having regard to all of the material considerations set out in this report the proposal is considered to accord with the relevant policies of the National Planning Policy Framework, South Ribble Local Plan and Central Lancashire Core Strategy. It is therefore recommended for approval.

2 Application Site and Surrounding Area

2.1 The application relates to a two storey building situated on Stanifield Lane at its junction with Bristol Avenue. The application property is set at the end of a row of four properties, which were predominantly in commercial use but Nos. 76 and 78 have now been converted into residential.

2.2 The last use of the premises would appear to have been B1 offices, however there is no planning permission in respect of this use and as such the authorised use of the premises is an A1 shop.

2.3 There is a forecourt to the front of the premises which is capable of accommodating three cars with time limited on street parking opposite.

2.4 The site and the immediate area are designated under Policy B1 (Existing Built Up Area).

3 Planning History

- 3.1 07/1980/0413 – New shop front. Approved
07/1980/0414 – Internally illuminated shop sign. Consent granted
07/2000/0711 - Erection of 1.8 m high boundary fence and gates to side and rear. Approved
07/2003/0417 - Erection of detached single garage to rear. Realignment of boundary fence. Approved

4 Proposal

4.1 The application seeks permission to change the use of the property from a shop (A1) to

a hot food takeaway (A5) together with alterations to the shop front.

4.2 The business will sell a range of hot and cold takeaway food, eg traditional English breakfast, jacket potatoes, salad bar, paninis, cakes and biscuits, tea, coffee, cold drinks etc.

4.3 The proposal also includes altering the existing shop front to form a separate entrance to an existing one bed first floor flat which is also to be altered to form a two bed flat. A ramped access is to be created to the centre of the shop front.

4.4 The application proposes two full time and one part time employees.

4.5 The application form states the opening times of 07:30-15:00 Monday to Friday and 07:30-14:00 Saturday; the premises will not open on Sunday and Bank Holidays.

4.6 Off road parking is available to the site frontage with off road parking being available at the rear to serve the first floor flat.

5. Summary of Supporting Documents

5.1 The application form is accompanied by the following:

- ☐ 1:1250 Location Plan
- ☐ 1:200 Site Layout plan
- ☐ Existing Plans
- ☐ Proposed Plan
- ☐ Planning Statement

6 Representations

6.1 Summary of Publicity

6.1.2 A site notice has been posted, and 35 neighbouring properties consulted with 15 letters of representation being received.

6.2. Letters of Objection

6.2.1 At the time of writing this report eleven individual letters of objection have been received. Comments are summarised as follows:

Residential Amenity

- ☐ Loss of privacy
- ☐ Smell
- ☐ Potential vermin
- ☐ Extra traffic parking in front of home
- ☐ Too close to residential properties
- ☐ Noise and disturbance especially late at night

Highways

- ☐ Highway safety
- ☐ Bristol Avenue is main access to a school
- ☐ Increase in cars parking on an already busy residential street
- ☐ Traffic congestion
- ☐ No parking available apart from the forecourt
- ☐ Bristol Avenue is access only
- ☐ Parking restrictions in the immediate area
- ☐ Been many accidents at this junction
- ☐ Pollution and air quality due to increased traffic

Character of Area

- ☐ Area needs more housing
- ☐ Enough hot food takeaways in the area
- ☐ Additional litter
- ☐ Antisocial behaviour
- ☐ Already an empty takeaway shop on Bristol Avenue

Other Comments

- ☐ Schools and a play area close by; child obesity is an issue

6.3 Letters of Support

6.3.1 Four letters in support have been receiving, offering the following comments:

- ☐ Sandwich shop would be a welcome addition;
- ☐ Opportunity to buy healthy lunches
- ☐ Plenty of parking
- ☐ Provide job opportunities
- ☐ Several 1 hour parking bays opposite
- ☐ Convenient for passing traffic to park to use the premises
- ☐ Delighted to see a shop selling healthy vegetarian and vegan food options

6.4 Statement in Response to Objections

6.4.1 The applicant responded to objections from neighbours but some have been covered by comments from LCC highways and others addressed further in the report. However the applicant advises that *“80 Stanifield Lane is currently down as a shop use so by converting the first floor of the property into a two-bedroom residential flat, I am creating affordable housing to help with the national housing crisis. Subject to planning permission, I already have a suitable tenant who is a similar age to many of the local residents. When I purchased the property last year, it was very unkempt and in a bad state of repair. There was expired food in the cupboards which could have attracted vermin and the fact that the property was empty could have made it appealing to squatters. I will be investing a considerable amount of time and money into the property to bring it into keeping with the surrounding area.”*

7 Summary of Responses

7.1 Environmental Health requested further information relating to an assessment of the impact of noise and odour from the proposed extraction system to the first floor flat and the adjoining residential property. It has been confirmed in writing by the applicant that the extraction is a domestic system and additional information has been submitted in respect of noise insulation. Following receipt of additional information, Environmental Health do not have any objections to the proposal but have requested a condition restricting the opening hours to those applied for.

7.2 Lancashire County Council Highways comment that the proposed development will provide limited off highway parking, however time limited parking spaces are also located opposite the site and parking restrictions are in place to control on street parking. The site is also located in an area with a large population within easy walking distance.

7.2.1 LCC Highways have reviewed the Lancashire County Councils five year data base for Personal Injury Accident (PIA). The data base indicates there has been 2 recorded incidents (1 slight and 1 serious) at the junction of Stanifield Lane and Bristol Avenue within the last 5 years. On investigation of the details recorded, the incidents appear to be of a nature that would not be worsened by the proposed development.

7.2.2 LCC Highways is of the opinion that the change of use would not have a severe impact on highway safety or capacity within the immediate vicinity of the site and therefore has no objections to the application.

8 Material Considerations

8.1 Site Allocation

8.1.1 The site is designated under Policy B1 (Existing Built Up Area) of the South Ribble Local Plan 2012-2026

8.1.2 **Policy B1** allows for redevelopment in allocated areas provided that proposals would comply with requirements of the local plan 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.

8.2 Policy Background

8.2.1 National Planning Policy Framework (2019)

8.2.2 The NPPF at Para's 8 and 11: provides a presumption in favour of sustainable development, and supports sustainable economic growth which respects health, social and cultural wellbeing. Other pertinent chapters of the NPPF are:

8.2.3 **Chapter 6: Building a Strong, Competitive Economy.** Para 80 states that planning decisions should take into account local business needs and wider opportunities for development, allowing each area to build on its strengths and address the challenges of the future.

8.3 Central Lancashire Core Strategy

8.3.1 **Policy 1: Locating Growth** focusses growth and investment on well-located, brownfield sites within key service and urban areas of the Borough.

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

8.4 South Ribble Local Plan

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

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

8.4.3 **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.

9. Local Economy

9.1 The site is set within an existing built up area. The adjacent properties at Nos. 76 and 78 were formerly in commercial use but have since, within the last two years, been converted into residential. The proposal would bring a vacant commercial premises back into use, together with the provision of a first floor two bedroomed flat, and as such would be acceptable from an economic perspective.

9.2 Impact of Development on Neighbouring Properties

9.2.1 The application property will have a residential flat at first floor and is attached to a residential dwellinghouse at No. 78 which itself is attached to a residential dwellinghouse at No. 76. No. 78 has a low level garden wall between the two boundaries at the front.

9.2.2 Environmental Health are satisfied that proposed measures should mitigate against any future noise/odour problems. Building Regulations will control noise transmission from the ground floor use to the first floor residential accommodation.

9.2.3 Due to the layout of the premises, neither the shop or the food prep areas have a party wall with the adjoining dwelling with extraction equipment being located on the northern elevation.

9.2.4 There is no outside seating proposed to the front of the premises which is separated from the frontage of the adjacent residential property by a boundary wall. The front door of the adjacent residential property is set adjacent a front entrance door to the application property which will provide access to the first floor flat. A new entrance is proposed to the food premises which will be located centrally within the shop front.

9.2.5 The opening hour of the premises are 07:30 to 15:00 Monday to Friday and 07:30 to 14:00 on a Saturday.

9.2.6 Commercial refuse storage will be within the rear yard area and the applicant has advised that rubbish bins will be provided both inside and outside the shop premises together with signs being displayed to encourage customers to use them.

9.2.7 It is considered that the proposed use and opening hours will not have a detrimental impact upon the amenity of adjacent dwellings by undue noise, disturbance nor will it result in undue loss of privacy.

10. Character & Appearance

10.1 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; 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.

10.1.1 In consideration of the above, local distinctiveness and character of the area have been assessed. Whilst, the site is not located within a defined district centre, this premises, until recently, was set within a row of three commercial premises.

10.1.2 The proposal will bring an empty commercial property back into use together with a two bedroomed flat.

10.1.3 The alteration to the shop front will provide a ramp access central to the shop area with an existing access door being retained for entry to the first floor flat only.

10.1.4 Due to the existing use of the premises and the proposed minor alteration, it is considered this will not detract from the character and appearance of the area.

11 Highways Considerations

11.1 LCC Highways are of the opinion that the change of use would not have a severe

impact on highway safety or capacity within the immediate vicinity of the site and therefore has no objections to the application.

11.2 Parking for customers is available to the site frontage together with time limited parking on the highway. Off road parking is also available to an existing garage accessed off Bristol Avenue.

12 Conclusion

12.1 The application proposes the change of use of No. 80 Stanifield Lane to a hot food takeaway selling a range of hot and cold takeaway food. The application has been assessed by the Council’s Environmental Health and Lancashire County Council Highways with no objections being received.

12.2 It is considered that due to the nature of the use and that the premises will close at 15:00 hours at the latest, this will not have a detrimental impact upon the residential amenity of the adjacent dwellings nor will it detract from the character and appearance of the area.

12.3 The proposal complies with relevant policies in the National Planning Policy Framework, South Ribble Local Plan and Central Lancashire Core Strategy 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. The development, hereby permitted, shall be carried out in accordance with the submitted approved plans Dwg No. 2 (amended extraction), 13.01.20 4 and 5.
REASON: For the avoidance of doubt and to ensure a satisfactory standard of development
- 3. The operating hours of the development should be restricted to those as submitted;
07.30 - 15.00 Mon - Fri
07.30 - 14.00 Sat
No operation on Sundays and Bank Holidays.
Reason: In the interests of the amenity of residents in accordance with Policy 17 of the Central Lancashire Core Strategy and the NPPF.

RELEVANT POLICY

NPPF	National Planning Policy Framework
1	Locating Growth (Core Strategy Policy)
17	Design of New Buildings (Core Strategy Policy)
POLF1	Car Parking
POLG17	Design Criteria for New Development

Note: