

Application Number 07/2020/00761/FUL
Address 175 - 177 Station Road
Bamber Bridge
Preston
Lancashire
PR5 6LA

Applicant Mr Andrew Bland
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Development Proposed Change of Use from A1/A2 to American Diner Restaurant and Drinking Establishment with live music (A4)

Officer Recommendation **That Members are minded to approve the application, and that the decision is delegated to the Director of Planning and Property in consultation with Chair and Vice-Chair of the Planning Committee upon expiration of the publicity period.**

Date application valid 10.09.2020
Target Determination Date 05.11.2020
Extension of Time 20.11.2020



1. **Report Summary**

- 1.1 The application site is within the Bamber Bridge District Centre and the application proposes a change of use from (A1/A2 retail) to an American Diner with live music (A4 drinking establishment). Whilst it is acknowledged that the proposed change of use reduces the number of retail establishments in the District Centre, Policy E4 does allow for such changes and, on balance, it is considered the proposal will not harm the vitality and viability of the district centre and brings a vacant unit back into use.
- 1.2 In relation to residential amenity, any impact in terms of noise and disturbance to nearby residential properties can be mitigated by conditions. No noise assessment has been conducted. Environmental Health have recommended two prior to the commencement of any work conditions relating to an acoustic survey and an odour extraction system.
- 1.3 At the time of writing the Committee Report, eight written representations have been received. Of these six support the application, one neutral representation has been received and one letter of objection has been received.
- 1.4 With the use of a suitable conditions to restrict its use, the proposal would not unduly impact on residential amenity. The application is therefore recommended for approval.

2. **Application Site and Surrounding Area**

- 2.1 The application site refers to the former Royal Bank of Scotland building on Station Road, Bamber Bridge.
- 2.2 The property is sited within the District Centre of Bamber Bridge (Policy E4) within the adopted South Ribble Local Plan.
- 2.3 Adjacent properties are commercial although Station Road is residential on the opposite side of the road.
- 2.4 To the rear is a large service yard shared by various businesses including Morrisons supermarket and this will provide the delivery access, bin storage and other service uses for the Restaurant.

3. **Planning History**

07/1987/0833 Conversion of Shop Unit into Bank. Approved

07/1988/0249 Internally illuminated signs. Consent Granted

07/1992/0377 - Installation of second Cashline Machine and re-site existing Nightsafe to side entrance. Application Approved

07/1997/0589 Installation of 1metre diameter satellite antenna. Approved

07/2012/0188/ADV - Advertisement scheme comprising of 1 no. internally illuminated fascia sign, 2 no. externally illuminated hanging signs, and 2 no. ATM header panels to replace existing signage. Consent Granted.

07/2016/0129/ADV - Advertisement scheme. Consent Granted.

4. **Proposal**

5.1 Planning permission is sought for a change of use of the former bank with Use Class A1/A2 retail premises to an A4 Drinking Establishment. The proposal also includes some external alterations consisting of the addition of illuminated signage to the existing projecting front canopy fascia and minor alterations to existing fenestration to the rear elevation to an enclosed service yard shared with other businesses. The illuminated sign will be subject to a separate advertisement consent application.

5.2 The proposals have been designed to retain all existing window and door openings with new aluminium framed glazing and then utilise the existing large open plan interior space for the restaurant area. Toilets will remain much as existing to the rear but with the addition of a new disabled WC, new kitchen, store and office constructed within the existing building envelope to the rear of the property.

5.3 It is proposed that the Restaurant may be open for business through the following hours.

- Monday – Thursday 9:00 am – 12:00 midnight
- Friday – Saturday 9:00 am – 1:00 am (Sunday)
- Sunday 9:00 am – 11:00 pm
- Alcohol would be served from 11:00 am
- Food would be served from 9:00 am – 10:00 pm
- It is intended that live music will be performed on the premises periodically on Fridays and Saturdays to 12:00 midnight and similarly on Bank Holidays

6. **Summary of Supporting Documents**

- Application Form
- Design & Access Statement
- Drawing number SK.32.1 Site Location Plan
- Drawing number SK.32.2 Site Layout Plan as Proposed
- Drawing number SK.00.1 Plan As Existing
- Drawing number SK.00.2 Elevations As Existing
- Drawing number SK.0.1 Plan As Proposed
- Drawing number SK.0.2 Elevations As Proposed

7. **Representations**

7.1 **Summary of Publicity**

7.2 One site notice has been posted.

7.3 Twenty One neighbouring properties were notified in. From the consultation eight written representations have been received.

7.4 Six representations are in support of the planning application on the following grounds:

- *It will take Bamber Bridge forward in the hospitality industry*
- *Create jobs / and other local business should be embraced*
- *Make use of an long time empty premise*

- *Will bring money and visitors to the village/ encourage footfall*
- *Residents should benefit*
- *Current building in its current state is an eyesore*
- *Detracts from the aesthetics of the village*
- *There is nothing like it in the vicinity*
- *Nice change from the usual takeaways and hairdressers*
- *Really different environment than anywhere else because of the American food and live music*
- *Any person (s) willing to make a go of opening a business in the current climate deserves everybody's support without question.*
- *Bamber Bridge as a village needs a variety of night time entertainment*
- *Unfortunately rents from breweries have hit pubs which are on the verge of closing. An independent operator will be under more control of costing and do much more likely to be a success. This type of venue will do well in this location.*

7.5 One neutral representation have stated the following:

Co Op Funeralcare - We would support the re use of this building but would respectfully request that conditions are appended to any planning permission which mitigate potential noise pollution created by live music at the site... we hope that conditions can be imposed that prevent disturbance.

7.6 One representation have been received objecting to the proposal on the following grounds:

- *Where the staff and patrons going to park?*
- *Difficult to park in St Mary's Road*
- *What would be the opening times? Also I am concerned about possible late night noise from patrons leaving the premises*

8. Summary of Consultee Responses

8.1 **Lancashire County Council Highways** has no objections to the planning application and is of the opinion that the nature and scale of the proposals at this location should have a negligible impact on highway safety and capacity within the immediate vicinity of the site.

8.2 **Environmental Health** have recommended two prior to the commencement of any work conditions relating to an acoustic survey and an odour extraction system.

9. Policy Considerations

9.1 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.

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

9.2.1 **Policy 1 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.

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

9.3 The Adopted South Ribble Local Plan

9.3.1 **Policy E4: District Centres** seeks to protect and enhance the district centres to maintain their vitality and viability. Planning permission will be granted for new buildings, redevelopment of existing sites, extensions to, or change of use of existing buildings for A1 Retail Use, which will be encouraged to achieve a minimum of 60% of the overall units and A3 Cafe and Restaurant uses. Applications for other district centre uses including A2 Financial and Professional Services, A4 Drinking Establishments and B1 Offices will be permitted where this would not harm the sustainability of the shopping area.

9.3.2 **Policy G17: Design Criteria for New Development** permits new development, including extensions and free-standing structures, provided that, the proposal does not have a detrimental impact on the existing building, neighbouring buildings or on the street scene by virtue of its design, height, scale, orientation, plot density, massing, proximity, use of materials. Furthermore, the development should not cause harm to neighbouring property by leading to undue overlooking, overshadowing or have an overbearing effect; the development would not prejudice highway safety, pedestrian safety, the free flow of traffic, and would not reduce the number of on-site parking spaces to below the standards stated in Policy F1

10. **Material Considerations**

10.1 **Impact on District Centre**

10.1.1 The proposal is for the change of use of the existing use formally a bank (A2), planning has previously been granted for retail (A1) however, the building is currently empty. As the application site is within Bamber Bridge District Centre planning policy E4 is applicable. This policy seeks to protect and enhance the district centres to maintain their vitality and viability. The policy specifies that planning permission will be granted for, among other things, the change of use of for A1 Retail Use, which will be encouraged to achieve a minimum of 60% of the overall units. However, it also allows for change of use to A4 Drinking Establishments where this would not harm the vitality of the shopping area.

10.1.2 Bamber Bridge District Centre currently has 42% retail premises and 3% of units are vacant. (November 2019).

10.1.3 It is considered that the proposal would not unduly affect the sustainability of the shopping area, particularly given the current retail climate. It is considered to have a unit in use rather than for the unit to be empty and recognising that Policy E4 does allow for such changes of use.

10.2 **Impact on External Alterations**

10.2.1 In terms of external alterations, the existing window and door openings with new aluminium framed glazing and then utilise the existing large open plan interior space for the restaurant area. Toilets will remain much as existing to the rear but with the addition of a new disabled WC, new kitchen, store and office constructed within the existing building envelope to the rear of the property.

10.2.2 The proposal also includes some external alterations consisting of the addition of illuminated signage to the existing projecting front canopy fascia and minor

alterations to existing fenestration to the rear elevation to an enclosed service yard shared with other businesses.

10.2.3 The illuminated sign will require separate permission under the Advertisement Regulations.

10.2.4 The proposed alterations are considered acceptable and in keeping with the District Centre.

10.3 Impact on Residential Amenity

10.3.1 The application site is situated on a busy road in Bamber Bridge. Station Road has a mix of premises along with residential dwellings. There are neighbouring properties along Eaveswood Close which is situated to the north east of the site. Opposite the site is a range of mix use premises. Along Station Road there are a range of premises with flats above and residential dwellings. The Council's Environmental Health team have recommended two planning conditions relating to acoustic survey and an odour extraction system.

10.3.2 The Co-operative Funeral care is adjacent to the application site and there is another funeral care on the opposite side of the road. Live music is proposed for Fridays and Saturday evenings only and the hours of opening would be controlled by a planning condition.

10.3 The application site is situated within a mixed use area. Consequently, the proposed development is not considered to have a detrimental impact on the character and appearance of the area.

10.4 On balance the proposal would not unduly impact upon the residential amenity of the neighbouring properties.

10.4 Highways Considerations and Parking Arrangements

10.4.1 County Highways have no objection to the application and they consider that the nature and scale of the proposals should have a negligible impact on highway safety and capacity within the immediate vicinity of the site.

10.5 Conclusion

10.5.1 The proposal is deemed to be in accord with Policies E4 and G17 of the Adopted Local Plan 2012 – 2026, Policy 1 and 17 of the Central Lancashire Core Strategy. Therefore, the application is recommended for approval subject to the imposition of conditions.

RECOMMENDATION:

Approval with Conditions.

RECOMMENDED CONDITIONS:

1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this permission.
REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2. The development, hereby permitted, shall be carried out in accordance with the submitted approved plans
Drawing number SK.32.1 Site Location Plan
Drawing number SK.32.2 Site Layout Plan as Proposed
Drawing number SK.00.1 Plan As Existing
Drawing number SK.00.2 Elevations As Existing
Drawing number SK.0.1 Plan As Proposed
Drawing number SK.0.2 Elevations As Proposed

REASON: For the avoidance of doubt and to ensure a satisfactory standard of development

3. Prior to the commencement of any works on site an acoustic survey shall be undertaken covering in particular 'live music', amplified music, and the extraction system. 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 first occupation of the site 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 of the nearby residents in accordance with Policy 17 of the Central Lancashire Core Strategy and NPPF.

4. Prior to the commencement of the development details of all extraction, filters and external ventilation stacks (including height of stacks and odour control) shall be submitted for written approval to the local planning authority. Once agreed the approved scheme shall be fully implemented prior to first use of the site and shall thereafter be retained and maintained in efficient working order in line with the approved scheme for the duration of the approved use.
Any changes to the approved scheme must first be agreed with the local planning authority.

Reason: In the interests of the amenity and to safeguard the living conditions of the nearby residents in accordance with Policy 17 of the Central Lancashire Core Strategy and the NPPF.

5. The use hereby approved shall not be open to the public outside the hours of
Monday - Thursday 9:00 am - 12:00 midnight
Friday - Saturday 9:00 am - 1:00 am (Sunday)
Sunday 9:00 am - 11:00 pm and Bank Holidays
REASON: In the interests of the amenity of the nearby residents in accordance with Policy 17 of the Central Lancashire Core Strategy

6. Table and chairs provided to the outside area shall only be provided between the hours of 11:00 to 18:00. Outside of these hours they must be removed to prevent their unauthorised usage.
REASON: In the interests of the amenity of the nearby residents in accordance with Policy 17 of the Central Lancashire Core Strategy

7. All doors and windows to the property shall remain closed at all times except for access and egress so as not to cause a noise nuisance to nearby properties and residents.
REASON: In the interests of the amenity of the nearby residents and businesses in accordance with Policy 17 of the Central Lancashire Core Strategy
8. No deliveries shall be received by the site between the hours of 19:00 and 09:30 Monday to Sunday. No deliveries shall be received on nationally recognised Bank Holidays.
REASON: In the interests of the amenity of the nearby residents in accordance with Policy 17 of the Central Lancashire Core Strategy
9. Waste collections shall not occur outside the hours of 19:00 to 08:00 Monday to Friday and 19:00- 10:00 Saturdays. There shall be no collections on Sundays and nationally recognised Bank Holidays.
REASON: In the interests of the amenity of the nearby residents in accordance with Policy 17 of the Central Lancashire Core Strategy
10. Waste, including empty bottles, shall not be removed from the premises (taken outside the building) between the hours of 20:00 - 08:00 on any day.
Reason: In the interests of the amenity of the nearby residents in accordance with Policy 17 of the Central Lancashire Core Strategy

RELEVANT POLICY

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| 1 | Locating Growth (Core Strategy Policy) |
| 17 | Design of New Buildings (Core Strategy Policy) |
| POLG17 | Design Criteria for New Development |
| POLE4 | District Centres |

Note:
