

**Application Number** 07/2021/00535/FUL

**Address** Black Bull Hotel  
119 Liverpool Road  
Longton  
Preston  
Lancashire  
PR4 5AA

**Applicant** Smokies Grill Hut

**Agent** Mr Robert Spencer  
  
281 Leyland Road  
penwortham  
preston  
PR1 9SY

**Development** Retrospective siting of outbuilding for use as hot food takeaway (Sui Generis Use)

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

Date application valid 11.05.2021  
Target Determination Date 06.07.2021  
Extension of Time 09.07.2021



## **1. REPORT SUMMARY**

1.1 The application relates to an area of hardstanding within the customer car park of the Black Bull Hotel and Public House on Liverpool Road, Longton. The site is within an area of land designated as Existing Built-Up Area under Policy B1 of the South Ribble Local Plan.

1.2 Planning permission is sought retrospectively for the siting of an outbuilding, which is essentially a wooden hut, for use as a hot food takeaway (Sui Generis Use Class). The proposed hours of opening are 4pm to 9pm daily, however it is understood that business has been operating from 2pm on weekends and Bank Holidays.

1.3 The surrounding is characterised by a mixture of residential and commercial uses. With the outbuilding subject to this application being of a relatively small scale and located towards the rear of the Hotel/Public House the proposal is not considered to have a detrimental impact on the character and appearance of the area.

1.4 The inter-relationships with neighbouring properties are considered to be acceptable, with the proposal not having an undue impact on the amenities of neighbouring properties in terms of overshadowing/overdominance and overlooking/loss of privacy.

1.5 A large car park is present to the rear of the Hotel and Public House, with the closest 3 parking spaces, along the side boundary, allocated for customers picking up food. County Highways have raised no objections to the proposal.

1.6 Whilst Environmental Health have recommended that only a temporary planning permission should be granted so that the impact the use has on neighbouring properties can be assessed the business has been operating since March 2021 without any complaints being received. It is therefore the view of Officers that a condition for a temporary planning permission would be unreasonable. A condition to restrict the operating hours to current hours of 4pm to 9pm Mondays to Fridays and 2pm to 9pm on weekends and Bank Holidays is considered to be sufficient to safeguard the amenities of neighbouring properties.

1.7 The proposal accords with Policies 1 and 9 of the Core Strategy and Policies B1, F1 and G17 of the South Ribble Local Plan. The application is therefore recommended for approval subject to the imposition of conditions.

## **2. APPLICATION SITE AND SURROUNDING AREA**

2.1 The application relates to an area of hardstanding within the customer car park of the Black Bull Hotel and Public House on Liverpool Road, Longton.

2.2 The surrounding area is characterised by a mixture of residential and commercial uses.

2.3 To the west and north of the site are residential properties. To the south is a children's day nursery. To the east are commercial units.

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

## **3. SITE HISTORY**

3.1 None relevant.

## **4. PROPOSAL**

4.1 Planning permission is sought retrospectively for the siting of an outbuilding for use as a hot food takeaway (Sui Generis Use Class).

4.2 The outbuilding, which is essentially a wooden hut, measures 4m (width) x 2m (depth) x 2.5m (high) and is sited against the side elevation of the Black Bull Hotel and Public House.

4.3 Within the Black Bull Hotel and Public House car park 3 parking spaces have been allocated for customers picking up food.

4.4 The proposed hours of opening are 4pm to 9pm daily, however it is understood that business has been operating from 2pm on weekends and Bank Holidays.

4.5 Three members of staff are employed.

## **5. REPRESENTATIONS**

No letters of representation have been received.

## **6. CONSULTATION REPLIES**

**County Highways** have raised no objections to the proposal.

**Environmental Health** have recommended that only a temporary planning permission should be granted so that the impact the use has on neighbouring properties can be assessed. A condition requiring the provision of a litter bin is also recommended.

## **7. MATERIAL CONSIDERATIONS**

### **7.1 Policy Considerations**

#### **i) NPPF**

7.1.1 The NPPF promotes a presumption in favour of sustainable development and supports sustainable economic development, stating *“Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.”*

#### **ii) Core Strategy Policy Considerations**

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

7.1.3 Policy 9 of the Core Strategy is entitled ‘Economic Growth and Employment’ and encourages the focussing of economic growth in existing main urban areas.

#### **iii) South Ribble Local Plan 2012-2026**

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

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

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

## **7.2 Character / Appearance**

7.2.1 The surrounding is characterised by a mixture of residential and commercial uses. With the outbuilding subject to this application being of a relatively small scale and located towards the rear of the Hotel/Public House the proposal is not considered to have a detrimental impact on the character and appearance of the area.

## **7.3 Relationship To Neighbours**

7.3.1 To the west of the application site are 2 residential properties. 121 Liverpool Road is a two-storey cottage that fronts Liverpool Road and has no windows on the side gable facing the application site. 123 Liverpool Road is set to the rear of no. 121 and is a detached bungalow. Whilst 2 windows and a door are present on the side elevation of no. 123 a 1.8m high timber fence is present along the party boundary with the application site.

7.3.2 A distance of 10m is present from the outbuilding subject to this application to the side elevation of 123 Liverpool Road, with an intervening boundary fence and access to the customer car park and children's day nursery.

7.3.3 The inter-relationships with neighbouring properties are considered to be acceptable, with the proposal not having an undue impact on the amenities of neighbouring properties in terms of overshadowing/overdominance and overlooking/loss of privacy.

## **7.4 Highway Issues**

7.4.1 The outbuilding subject to this application is sited against the side elevation of the existing Hotel and Public House building on the site and does not obstruct the access to the customer car park and children's day nursery.

7.4.2 A large car park is present to the rear of the Hotel and Public House, with the closest 3 parking spaces, along the side boundary, allocated for customers picking up food.

7.4.3 County Highways have raised no objections to the proposal.

## **7.5 Noise / Disturbance**

7.5.1 With the application site forming part of a car park for the Black Bull Hotel and Public House late night activity would have historically taken place in and around the site.

7.5.2 Whilst Environmental Health have recommended that only a temporary planning permission should be granted so that the impact the use has on neighbouring properties can be assessed the business has been operating since March 2021 without any complaints being received. It is therefore the view of Officers that a condition for a temporary planning permission would be unreasonable. A condition to restrict the operating hours to current hours of 4pm to 9pm Mondays to Fridays and 2pm to 9pm on weekends and Bank Holidays is considered to be sufficient to safeguard the amenities of neighbouring properties.

## **8. CONCLUSION**

8.1 The retrospective application for the siting of an outbuilding for use as a hot food takeaway (Sui Generis Use Class) is considered to be acceptable. The proposed development would not have a detrimental impact on the character of the local area or on the amenities of neighbouring properties. There are no highway safety implications resulting from the proposal. The proposal accords with Policies 1 and 9 of the Core Strategy and Policies B1, F1 and G17 of the South Ribble Local Plan. The application is therefore recommended for approval subject to the imposition of conditions.

## **RECOMMENDATION:**

Approval with Conditions.

**RECOMMENDED CONDITIONS:**

1. The development, hereby permitted, shall be carried out in accordance with the approved PR-01; or any subsequent amendments to those plans that have been agreed in writing by the Local Planning Authority.

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

2. The use hereby approved shall not open to the public outside the hours of 16:00 and 21:00 hours Monday to Friday and 14:00 to 21:00 hours on Saturdays, Sundays and Bank Holidays.

Reason: In the interests of the amenity of the nearby residents in accordance with Policy 17 and 28 of the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan.

3. That within 1 month of the date of this permission a litter bin shall be installed adjacent to food hut for use by customers.

Reason: In the interests of the amenity of the nearby residents in accordance with Policy 17 and 28 of the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan.

**RELEVANT POLICY**

**1 Locating Growth (Core Strategy Policy)**

**9 Economic Growth and Employment (Core Strategy Policy)**

**POLB1 Existing Built-Up Areas**

**POLF1 Car Parking**

**POLG17 Design Criteria for New Development**

**Note:**

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