

Application Number 07/2023/00559/FUL

Address 2 Churchill Way
Leyland
Lancashire
PR25 3LZ

Applicant B&M Retail Ltd

Agent Mr Mark Wood

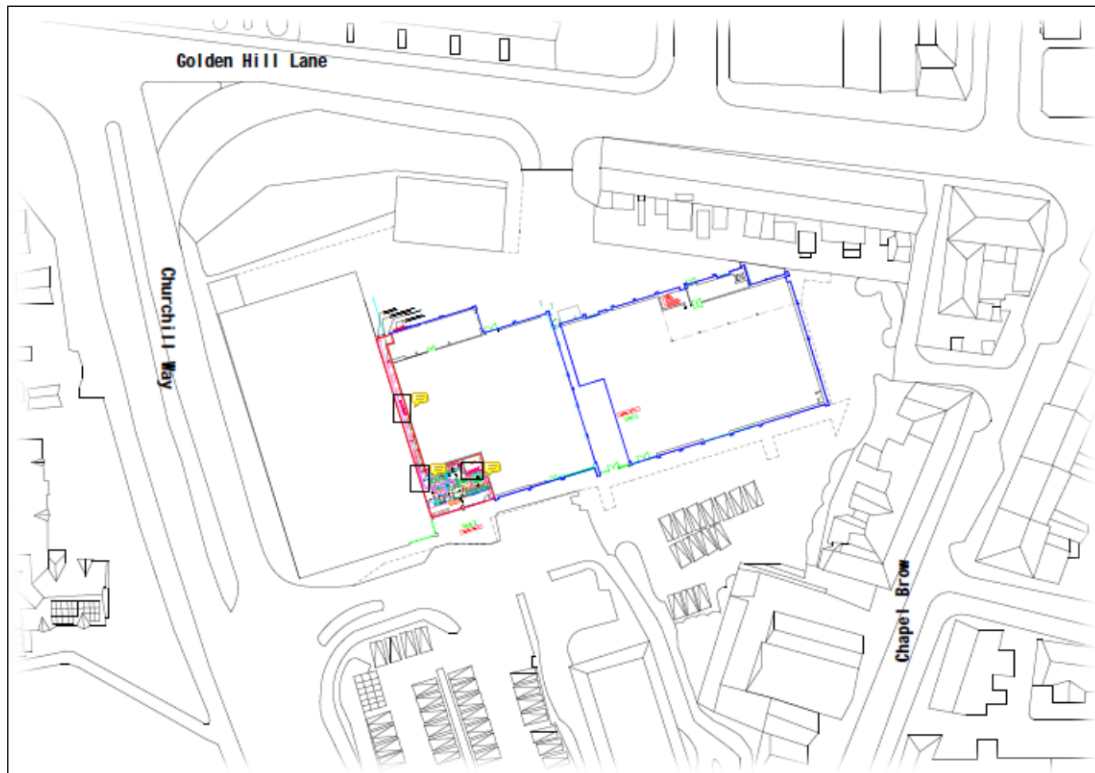
12 The Glenmore Centre
Jessop Court
Waterwells Business Park
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GL2 2AP
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Development Change of use from Class E(a) to hot food takeaway (sui generis), installation of new shop front, installation of ventilation and extraction equipment.

Officer Recommendation **Approval with Conditions**

Date application valid 21.07.2023
Target Determination Date 13.11.2023
Extension of Time 13.11.2023

Location Plan



1. Report Summary

- 1.1 The application proposes a Change of Use of a currently vacant unit (Unit 2) to a Domino's Pizza Takeaway. This comprises a Change of Use and re-location of the existing Domino's Pizza premises (within Unit 3) to enable the existing B & M store to expand into the former Poundstretcher store. The application site relates to the former Poundstretcher store on the Churchill Way Retail Park. The shop unit is currently vacant (Unit 2).
- 1.2 It is considered that the application complies with relevant Core Strategy and Local Plan Policies and with conditions in place, the proposals are acceptable, and the application is recommended for approval.

2. Site and Surrounding Area

- 2.1 The application site relates to the former Poundstretcher store on the Churchill Way Retail Park, in Leyland. The shop unit is currently vacant (Unit 2). The retail park is accessed by vehicle off Churchill Way, which lies to the west of the site. The unit fronts to the south with servicing areas positioned to the north of the units. To the immediate west of the unit lies a Lidl store with B&M to the east. The retail park also includes a McDonalds and has car parking which is positioned to the south of the units.
- 2.2 The area is mixed in character in terms of land uses with retail, commercial and residential. The site is within the Leyland ~Town Centre boundary.

3. Planning History

- 3.1 The application site and retail park has a number of historic planning applications:
- ☐ 07/2014/0312/FUL- Retrospective application for 1 no. lighting column with two cameras attached
 - ☐ 07/2014/0313/ADV – Advertisement consent for signage scheme for car park management (retrospective)
 - ☐ 07/2006/1142/FUL- Installation of an ATM.
 - ☐ 07/2006/1139/ADV- internally illuminated signage scheme to ATM
 - ☐ 07/2000/0458 -Variation of Condition no 6 on Planning Permission 07/00/0003 to permit opening until midnight on Fridays and Saturdays at 3 Churchill Way (Domino's) Allowed on Appeal
 - ☐ 07/2000/0003 - Extension of retail park to provide 2 no. retail units (Class A1) and 1 no. hot food takeaway (Class A3) - (AMENDED)
 - ☐ 07/1999/0074 - granted permission for the sub-division of Unit 2 (Poundstretcher) into 2No. retail units which provided for the introduction of Domino's into Unit 3. Amendments to Approved Retail Unit (07/98/0097) involving increased Floor Area, Subdivision into Two Units and Alterations to Front Elevation (Retrospective Application)
 - ☐ 07/1998/0097 – 1 no Food Retail Unit (Class A1), 1 no General Retail Unit (Class A1) and 1 no Hot Food Takeaway and Restaurant (Class A3) together with associated highway works, car parking, service yard and landscaping. Approved subject to S106 relating to highways contribution.
 - ☐ 07/1998/0666 – Illuminated and non-illuminated low-level signage scheme
 - ☐ 07/1998/0667 Internally illuminated roof signs.
 - ☐ 07/1998/0668 – Internally illuminated 9.4m high pole sign.

4. Proposal

- 4.1 This application seeks a change of Use of the currently vacant unit (Unit 2), and comprises of the re-location of the existing Domino's Pizza premises (currently within Unit 3) to enable the existing B & M store to expand into the former Poundstretcher store (Members should note that no planning consent is required for this element as this falls into the same planning use class).
- 4.2 The proposed hours of use are 11am – 12.00pm (midnight) Monday – Saturday and 11am – 23.00 Sunday/Bank Holiday.
- 4.3 The existing Domino's is positioned to the east within the same retail park. Therefore the existing parking provision and car park will be utilised. Due to the nature of the takeaway, extraction facilities will be provided. Service access as is the case with the existing unit will be provided from the northern end, where access is via Golden Hill Lane which is gated for occupants of the retail park only.
- 4.3 The scheme consists of the following:
- ☐ a new shopfront and doors. The shop front would be finished with the use of red brick, with aluminium and glazed doors and shopfront.
 - ☐ the installation of ventilation and extraction equipment which will be located to the rear on the northern elevation. The existing plant equipment will be relocated and reinstalled.
- 4.5 The proposed advertisements are subject of a separate application.
- 4.6 The existing Domino's is 113sqm and the new premises proposed as part of the Change of Use would be 151sqm. The existing premises provides 7 full time and 12 part time members of staff who would all be retained. Given the unit is moving immediately adjacent there would be no issues with relocation in this instance.
- 4.7 The proposal will ensure a vacant unit is brought back into use and enable the creation of additional jobs which the applicant identifies will be an additional 20 full and part time positions through the expansion of the B & M store which the relocation of the Domino's will facilitate.

5 Summary of Publicity

- 5.1 Neighbouring properties were notified and a site notice posted with one letter of representation being received providing comments covering the following:
- ☐ Principle good idea but no parking to front only disabled bays and drop-off
 - ☐ Position could lead to additional footfall across pedestrian crossing and lead to cars queueing onto dual carriageway
 - ☐ Suggestion existing disabled parking bays become for Domino's use

6 Summary of Consultations

- 6.1 **County Highways** have no objections and consider the proposals should have a negligible impact on highway safety.

- 6.2 **Environmental Health** have reviewed the application and have no objections and have requested a condition is added to ensure the extract/ventilation system should be installed as per the submitted information and design criteria.

7 Policy Background

- 7.1 **Central Lancashire Core Strategy Policy 11: Retail and Town Centre Uses and Business Based Tourism** supports retail and town centre uses provided that the development respects the character of the centre, including its special architectural and historic interest and assist in maintaining its existing retail function.
- 7.2 **Core Strategy Policy 17: Design of New Buildings** seeks to ensure that new development is sympathetic to surrounding land uses and occupiers and avoids demonstrable harm to the amenities of the local area and that the amenities of occupiers of the new development will not be adversely affect by neighbouring uses and vice versa.
- 7.3 **South Ribble Local Plan: Policy B1: Existing Built-Up Areas** permits development proposals for the re-use of undeveloped and unused land and buildings, or for redevelopment, provided that the development complies with the requirements for access, parking and servicing; is in keeping with the character and appearance of the area; and will not adversely affect the amenities of nearby residents.
- 7.4 **Local Plan Policy E3: Leyland Town Centre** is made up of both Primary and Secondary Retail Frontages. Within the Primary Retail Frontage, planning permission will be granted for new buildings, redevelopment of existing sites, extensions to, or change of use of existing buildings for the following uses:
- a) A1 (Retail Uses) which will be encouraged to achieve a minimum of 60% of the overall units within the Primary Retail Frontage;
 - b) A3 (Cafe and Restaurant) uses and A4 (Drinking Establishments) uses to enhance the evening economy; and
 - c) Other town centre uses including A2 (Financial and Professional Services) and B1 (Offices) will be permitted where this would not harm the sustainability of the shopping area;
 - d) Living accommodation or B1 (Office) use will be permitted at first floor level.
- 7.5 The remaining area of the defined town centre is classified as the Secondary Retail Frontage. Uses in these areas will be protected and enhanced wherever possible for A1 (Retail Use), A3 (Cafes and Restaurants) and A4 (Drinking establishments) may be appropriate to maintain the vitality and viability of the area. (NB: It must be noted that a recent change to the Use Classes Order in July now means that what was formerly an A5 use, along with A4 uses, are now classed as Sui Generis).
- 7.6 New buildings, redevelopment of existing sites, extensions and/or change of use of existing buildings in the Town Centre will either be expected to use existing car parking facilities within the town centre or provide the appropriate level of car parking based on their location and type of development as set out in Policy F1.
- 7.7 Policy F1: Parking Standards requires all development proposals to provide car parking and servicing space in accordance with the parking standards adopted by the Council. In general, parking requirements will be kept to the standards as set out unless there are significant road safety or traffic management implications related to the development of the site. The parking standards should be seen as a guide for developers and any variation from these standards should be supported by local evidence in the form of a transport statement. Where appropriate, some flexibility will be factored into the standards in relation to the specific local circumstances.

8 **Material Considerations**

- 8.1 **Land Use** The application site is within the existing built-up area of Leyland where Policy B1 permits development proposals providing they are in keeping with the character and appearance of the area and will not adversely affect the amenities of nearby residents.
- 8.2 The site is within the Town Centre within the secondary Retail Frontage designation, whereby the Retail Park is considered as a Secondary Retail frontage as denoted in Appendix 3 where uses in these areas will be protected and enhanced wherever possible for A1 (Retail Use), A3 Cafes and Restaurants and A4 Drinking Establishments may be appropriate to maintain the vitality and viability of the area. The proposal for the re-siting of the existing Domino's to facilitate an extension of the existing B & M store into a vacant unit is considered acceptable and would promote the vitality and vitality of the Retail Park.
- 8.3 The overall aim of Policy E3 is to protect A1 retail uses with cafes and restaurants acting as complementary uses to the daytime shopping facilities whilst restaurants and pub establishments would support the evening economy. It is considered the proposal would support the evening economy by providing a takeaway service in the Town Centre. The application should also support the extension of a retail use into a vacant unit.
- 8.4 **Character and appearance** The property is within an existing Retail Park which consists of other retail units and a McDonalds. It is within the central run of units and therefore away from the highway and not highly prominent in the street scene.
- 8.5 It is considered that the proposed takeaway and shop frontage will not have a detrimental impact on the character and appearance of the area.
- 8.6 **Amenity Considerations** There is an existing Domino's which is relocating and therefore limited amenity issues to consider with existing opening hours between 11.00 to 23.00 Sunday to Thursday and 11.00 to Midnight on Friday and Saturday as permitted under Appeal in 2000. There is a slight extension to the existing with regard to the proposed opening hours as the existing permission restricts opening on Mon – Wed to 11pm and the application seeks opening till midnight. The adjacent McDonald's also operates 24hr opening. Given there are no residential properties immediately adjacent and there have been no objections to this, this is considered to be acceptable.
- 8.7 In terms of extraction, the applicant provided details of the standard specification of ventilation and air cooling, and confirmed the existing plant equipment to the rear of the existing premises would be relocated and installed. This is considered to be acceptable and positioned in an appropriate location to the north of the unit.
- 8.8 **Highways** In terms of parking provision, Policy E3 requires that change of use of existing buildings in the town centre will either be expected to use existing car parking facilities within the town centre or provide the appropriate level of car parking based on their location and type of development as set out in Policy F1. In this case parking is available on the wider retail park and this accords with policy E3 whereby existing parking is acceptable for a change of use of premises.
- 8.9 Lancashire County Highways do not object to the application. The proposal for the Domino's will have a negligible impact on the highway and car parking as it forms

a relocation of the existing premises with a comparable sized store within a short distance.

- 8.10 Whilst there was one comment advising that the disabled parking outside the unit is replaced for dedicated Domino's parking, this existing parking is able to be used by customers of the Lidl and B & M stores within the retail park and there is no proposal to alter this is provision which is acceptable.

9. Conclusion

- 9.1 The proposed Change of Use of the existing vacant retail unit to a Domino's is considered to be acceptable. The application seeks the relocation of the existing premises which will allow the expansion of the B & M store in the existing Unit.
- 9.2 Additionally, there is a need to support local businesses and help maintain the viability of our town and district centres. The proposal will bring a currently vacant property back into use to the benefit of the town centre. For these reasons it is considered the proposal is acceptable and the application is recommended for approval subject to the imposition of conditions.
- 9.3 It is considered that the application complies with relevant Core Strategy and Local Plan Policies and with these conditions in place, the proposals are acceptable, and the application is 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 RB-1658-001 Rev 01 (Location Plan) RB-LLD-005 Rev 02 (Proposed Block Plan) RB LLD-007 Rev 2 (Proposed Floorplan) RB-1658-007 Rev 01 (Proposed Elevations).
REASON: For the avoidance of doubt and to ensure a satisfactory standard of development
3. The extract/ventilation system should be installed as per the submitted information and design criteria, prior to the premises being brought into use as a takeaway.
Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 17 of the Central Lancashire Core Strategy and NPPF

RELEVANT POLICY

POLB1 Existing Built-Up Areas

NPPF National Planning Policy Framework

POLE3 Leyland Town Centre

POLF1 Car Parking

POLG17 Design Criteria for New Development

Note:
