

Application Number 07/2023/00992/COU and 07/2023/00990/LBC

Address Ground Floor Unit G27-28
Worden Hall
Worden Park
Worden Lane
Leyland

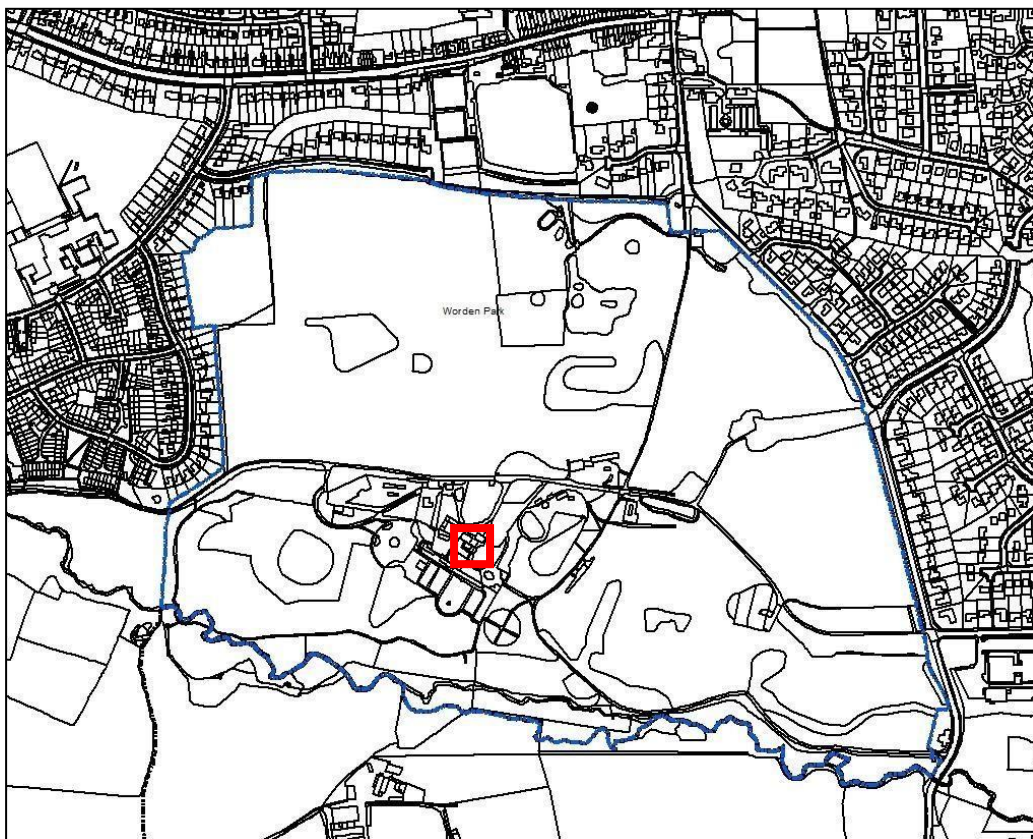
Applicant South Ribble Borough Council – Adam Nickson

Development Listed building consent and planning permission for change of use from bar (Sui Generis) to retail (Class E(a))

Officer Recommendation **Consent Granted / Planning Permission**
Approved

Date application valid 30.11.2023
Target Determination Date 25.01.2024
Extension of Time None

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1. Introduction

1.1. This application is presented to Committee as a project put forward by the Council's Projects Team.

2. Report Summary

2.1. Applications 07/2023/00992/COU and 07/2023/00990/LBC are separate applications which require two separate decisions, but as proposals are inextricably linked both will be presented together.

2.2. The applicant requests consent to change the use of the previously approved events venue bar area (Use Class Sui Generis - hereafter referred to as the Folly) to retail (Class E(a)), for the particular sale of wines with associated, ancillary retail functions.

2.5. Representation for or against the proposal has not been received, and in this case statutory consultation was not felt necessary.

2.6. It is recommended that listed building consent and planning permission should be granted with conditions.

3. Application Site and Surrounding Area

3.1. Worden Park (62ha) enjoys a Grade II listing status and is registered on England's Schedule of Historic Parks and Gardens. The park is bound to the south/ south-west and north/north-east by agricultural land and mixed use/residential buildings respectively.

3.2. Worden Hall and Park have recently been refurbished under a series of permissions from 2020 onwards.

4. Site History

4.1. Worden Hall/Park has a very detailed planning history; the most relevant of which are permissions 07/2020/01064/FUL and 1065/LBC for refurbishment and extension of Worden Hall to provide flexible community and events spaces, and regularisation of existing use classes across the Park. Approved March 2021

Both permissions included conditions to restrict park uses, amongst others to

- E(a) (retail) - limited to craft units, the brewhouse, gardeners Cottage, kiosk concession and as ancillary (minor part) to other function areas.
- Sui Generis (drinking establishment) - limited to brewhouse/derby wing/proposed wedding/events facility.

5. Description of works

5.1. The applicant requests consent to change the use of the previously approved bar area (Use Class Sui Generis - hereafter referred to as the Folly) to retail (Class E(a)), for the particular sale of wines with associated, ancillary retail functions.

5.2. The bar area was originally to be used by the wider Worden Hall venue, but would now see occupation by a wine sales business, who propose to also sell hot drinks and take out food (retail style not traditional hot food takeaway) as an ancillary, lesser function.

5.3. To retain control over future uses a condition to restrict any approval to the use applied for is considered necessary.

5.4. Any separate advertisement consent would be considered at a later date where relevant.

6. Representations

6.1. A site notice was posted but at the time of completing this report representation has not been received; late representation will be reported verbally at committee. Due to the contained nature of the site individual neighbour letters have not been sent out.

7. Material Considerations

7.1. Policy Background

7.1.1. The park is designated primarily by policies G7 and G9 of the Local Plan, and those relating to protection of heritage assets.

7.1.2. Local Plan Policy G7 (Green Infrastructure) allows development within allocated areas where alternative provisions are similar or better in nature, and where change will not detrimentally affect the amenity value of the site.

7.1.3. Policy G9 (Worden Park) ensures the appropriate enhancement and maintenance of the park noting that “*Worden Park requires major investment... to increase its use and develop further recreational and leisure uses within it*”.

7.1.4. *Heritage Assets* - The Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty under s.66(1) to pay special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

7.1.4. Separately, Chapter 16 of the National Planning Policy Framework (2023), Core Strategy Policy 16 (Heritage Assets) and Local Plan Policy G17 (Design) state that when considering proposed development of a designated heritage asset, great weight should be given to the asset’s conservation, and to protecting and enhancing both the asset and its setting from inappropriate development.

7.1.5. The NPPF 2023, is very specific in its approach to designated heritage assets with Para 195 stating that ‘*assets are an irreplaceable resource to be conserved in a manner appropriate to their significance, so that they can be enjoyed ... for future and existing generations*’.

7.1.6. Para 196 goes on to say that in determining applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets, the positive contribution that conservation of heritage assets can make and the desirability of new development making a positive contribution to local character and distinctiveness.

7.2. Other relevant policy

National Planning Policy Framework (2023)

7.2.1. Chapter 2 (Achieving Sustainable Development) includes a presumption towards sustainable development across a number of different objectives; one of which is a social role which includes '*fostering well designed and safe environments ... that reflect current and future needs and support communities' health, social and cultural well-being*'.

7.2.2. Chapter 6 (Building a strong competitive economy) - Planning should help create the 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 business needs and wider opportunities. This approach allows each area to build on its strengths, counter any weaknesses and address the challenges of the future.

Central Lancashire Core Strategy

7.2.3. 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.

7.2.4. Policy 1 (Locating Growth) focusses growth and investment on well-located sites within key service and urban areas of the Borough; one of which is Leyland.

7.2.5. Policy 17(Design of New Buildings) requires new development to take account of the character and appearance of the local area.

South Ribble Local Plan

7.2.6. Policy G17 (Design of New Buildings) 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.

7.3. Character and Appearance, and Impact upon Designated Heritage Assets

7.3.1. Proposed changes will be limited in nature, and subject to a condition repeated from earlier permissions to protect the Folly's internal features, should have a favourable rather than adverse effect on the wider facility, and users of related buildings. It will undoubtedly alter the character of the Hall complex, but in a positive way that supports its full and continued use.

7.4. Relationship to Neighbours, Accessibility and Highways

7.4.1. Physical changes within this very enclosed site will impact little on neighbouring residents, and noise issue would also be negligible. Traffic to and from the site is not expected to increase as a result of changes of use.

8. CONCLUSION

8.1. The proposed change of use to the Folly unit only, is limited in nature, would not affect the fabric of the building in any way and will sit well within the context of both protected structures but useable public space. The scheme therefore accords well to the aforementioned national and local policy.

RECOMMENDATION:

Approval with Conditions/Consent Granted with Conditions.

RECOMMENDED CONDITIONS:

1. (FUL only).

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.

AND (LBC only)

Works to which this consent relates shall be begun not later than the expiration of three years beginning with the date of the Decision Notice.

REASON: To comply with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. Notwithstanding the provision of the Town and Country Planning (Use Classes) Order 1987 (as amended) Paragraph 3(1) or any provision equivalent to this in any statutory instrument revoking and re-enacting this Order, the use of the premises shall be restricted to the use applied for (retail wine sales with ancillary minor functions) unless the prior consent of the Local Planning Authority is obtained. No hot food takeaway as defined by former Use Class A5/current Sui Generis class shall occur unless with the prior written agreement of the local planning authority.

REASON: To enable the Local Planning Authority to retain control over the impact of the development on a designated heritage asset in accordance with Policy 16 in the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan 2012-2026

3. Former feeding troughs, iron stalls, wooden partitions, railings and gate in the stables (The Folly/former cafe) shall be retained and not altered unless with the prior written approval of the local planning authority.

REASON: To safeguard matters of archaeological and/or historical importance associated with the building in accordance with Policy 16 of the Central Lancashire Core Strategy.

RELEVANT POLICY

Planning (Listed Building and Conservation Areas) Act 1990

NPPF National Planning Policy Framework

Central Lancashire Core Strategy

- 1 Locating Growth
- 16 Heritage Assets
- 17 Design of New Buildings

South Ribble Local Plan

- G7 Green Infrastructure Existing Provision
- G9 Worden Park
- G17 Design Criteria for New Development