

Application Number 07/2018/6511/FUL

Address Conservative Club
Chorley Road
Walton-Le-Dale
Preston
Lancashire
PR5 4JA

Applicant Sean OHagan

Development Change of use from Private members club (Sui Generis) to Drinking establishment (Class A4).
Timber cladding, canopy and raised decking area incorporating a ramp to front. Alterations to windows, new door opening and fire escape to rear.

Officer Recommendation **Refusal**
Officer Name **Mr Chris Sowerby**

Date application valid 05.10.2018
Target Determination Date 30.11.2018
Extension of Time -



1. REPORT SUMMARY

1.1 The application relates to a two-storey building fronting Chorley Road which is now vacant, was previous the Walton-le-Dale Conservative Club. The application site is within a defined Local Centre as allocated under Policy E5 of the South Ribble Local Plan.

1.2 The proposal is for the change of use of the property from a private members club (Sui Generis) to a drinking establishment (Class A4) together with the construction of an area of raised decking (part covered) to the front including a ramped access, alterations to windows, the installation of a new door opening and the relocation of a first floor fire escape to the rear.

1.3 Whilst the proposed works would clearly improve the visual appearance of the building and condition can be imposed to ensure that the change of use element of the proposal is acceptable, it is the view of Officers that the proposed area of raised decking to the front, that is part under canopy, would have a significant detrimental impact on the amenity of the owners/occupiers of nearby residential properties.

1.4 A distance of 4m would be present from the unobscured ground floor window located centrally on the gable of 8 Chorley Road to the proposed raised decking which, in addition to having stair access on its western side, does not propose any screening. The potential for overlooking / loss of privacy from the use of the area of raised decking to the ground floor window is substantial and would have a significant detrimental impact on the residential amenity of the owners/occupier of 8 Chorley Road contrary to the requirements of Policy G17 (a) of the South Ribble Local Plan.

1.5 Furthermore the use of the proposed area of raised decking by patrons would result in a serious adverse impact on the amenities of owners/occupiers of nearby residential properties, particularly 8 Chorley Road who have a living room and bedroom window on the eastern side elevation, by reason of noise contrary to paragraph 170 of the National Planning Policy Framework, Policy G17 (a) of the South Ribble Local Plan and Policy 17 (c) of the Central Lancashire Core Strategy. The application is therefore recommended for refusal.

2. APPLICATION SITE AND SURROUNDING AREA

2.1 The application relates to a two-storey building fronting Chorley Road close to the mini-roundabout junction with Victoria Road and Higher Walton Road. The building, which is now vacant, was previous the Walton-le-Dale Conservative Club.

2.2 To the front of the property is an area of hardstanding which extends up to the adopted footpath along the Chorley Road frontage. Attached to the northern side elevation of the building is a dentist surgery with a hairdressers further round fronting Victoria Road.

2.3 Adjacent to the application to the west, and set slightly forward, are a pair of semi-detached residential properties (8 and 10 Chorley Road). The property nearest to the application site, 8 Chorley Road, has two windows on its eastern side gable directly onto the area of hardstanding to the front of the former Walton-le-Dale Conservative Club building. Both windows, neither of which are obscurely glazed, serve habitable rooms (the ground floor window serving as a secondary window to the living room and the first floor window serving as a secondary window to a bedroom).

2.4 On the opposite side of Chorley Road is a commercial premises and a terrace of 5 residential properties.

2.5 To the rear of the site are the yards of adjacent commercial premises and a customer car park for the Riverside Medical Centre.

2.6 The application site is within a defined Local Centre as allocated under Policy E5 of the South Ribble Local Plan.

3. SITE HISTORY

3.1 Currently there is an advertisement consent application (ref. 07/2018/7506/ADV) that is under consideration.

3.2 Prior to there were three applications in the 1980s for external works and advertisements relating to the historic use of the site as a Conservative Club.

4. PROPOSAL

4.1 The proposal is for the change of use of the property from a private members club (Sui Generis) to a drinking establishment (Class A4) together with the construction of an area of raised decking (part covered) to the front including a ramped access, alterations to windows, the installation of a new door opening and the relocation of a first floor fire escape to the rear.

4.2 The applicant has stated within a supporting statement proposed opening hours to 11.00pm Sunday to Thursday and to 1.00am on Friday and Saturday nights. It is stated that should the coffee/café bar element of the business grow the applicant would wish opening times from 8.00/9.00am.

4.3 The proposed area of raised decking (at a height of 0.5m) would cover a broadly triangular area of hardstanding measuring up to 11m (width) x 7.6m (depth) to the front of the building. A 7m (width) x 2m (deep) x 2.5-3.3m (high) canopy is proposed above the section of proposed decking immediately to the front of the building. A ramped access is also proposed from the existing ground level to the level of the proposed decking.

4.4 On the rear elevation a blocked up first floor window is proposed to be reintroduced as well as a door opening for the fire escape.

4.5 The existing external first floor fire escape is proposed to be removed from the front of the building with a new first floor fire escape proposed on the rear elevation.

4.6 Within the submitted supporting statement the applicant confirms *“The proposals for the drinking establishment is more of a lounge bar based on a specialist need for Real Ales, fine wines and specialist Gins etc. The target cliental is a more mature market. Trying to create a relaxed atmosphere. It is intended that any potential live music is low key and not too loud for local residents. Based mainly around the acoustic style of music.*

At the moment there is no immediate desire to sell food, however, this is something we may wish to consider in the future depending on future business needs and client demand. We may start with a simply coffee/café warm up and sandwich style of food and if the demand grows look to seek further Environmental Health approval to open a preparation kitchen”.

5. REPRESENTATIONS

5.1 As of the 19th November 1 letter of objection has been received in relation to the proposal. A summary of the points raised follows:

Relationship To Neighbours

- Overlooking / loss of privacy from the use of the raised decking area

Noise / Disturbance

- Noise and disturbance due to the proposed hours of use
- Noise and disturbance due to the use of the proposed area of decking to the front
- Potential for light disturbance

Other Issues

- Potential for increased litter

6. CONSULTATION REPLIES

Environmental Health have objected to the planning application as it is their opinion that the use of the proposed area of raised decking by patrons would result in a serious adverse impact on the amenity of nearby residential properties by reason of noise. The location of a bedroom window on the side gable of 8 Chorley Road is highlighted as being of significant concern. It is the view of Environmental Health that in regards to the use of the actual building (i.e. excluding the area of proposed decking), conditions could be imposed to address any potential noise and disturbance issue.

County Highways have raised no objections to the proposal confirming that the proposal should have a *“negligible impact on highway safety and highway capacity in the immediate vicinity of the site”*. Comments have also been made as to the site being in a sustainable location and sufficient waiting restrictions been within the vicinity of the site to control on road parking. County Highways also note that the area of proposed raised decking is within the curtilage of the site boundary and is outside of the adopted highway.

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 policies and decision should help create the conditions in which businesses can invest, expand and adapt”* with significant weight to be placed on *“the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development”*.

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 application site is within a defined Local Centre as allocated under Policy E5 of the South Ribble Local Plan. Policy E5 states:

“Within the Local Centre A1 (Retail) uses will be protected and enhanced wherever possible in order to achieve a minimum of 60%. This is to maintain the vitality and viability of the centre.

Applications for other local centre uses including A2 (Financial and Professional Services), A3 (Cafes and Restaurants) and A4 (Drinking Establishments), and B1 (Offices) may be appropriate where it does not undermine the sustainability of the shopping area”.

7.1.5 As the application is for the change of use of an existing building not in A1 use to one of the uses listed as being potentially appropriate within a Local Centre, the proposal complies with the principle of Policy E5.

7.2 Character / Appearance

7.2.1 The proposed works would improve the visual appearance of the building which is currently tired. The proposed relocation of the unsightly existing first floor fire escape and

external staircase to the rear of the building is welcomed. Proposed alteration to windows will not impact on the character and appearance of the area.

7.2.2 The proposed area of raised decking to the front, part under the cover of a canopy, will not have an adverse impact the streetscene which is varied in terms of design and character.

7.2.3 For the above reasons the proposed development is not considered to have a detrimental impact on the character and appearance of the area.

7.3 Relationship To Neighbours

7.3.1 Properties to the east and north on Victoria Road are wholly in commercial and non-residential uses.

7.3.2 Residential properties are present to the west and south on Chorley Road with the adjacent property immediately to the west (8 Chorley Road) having two windows on its eastern side gable directly onto the area of hardstanding to the front of the former Walton-le-Dale Conservative Club building. Both windows, neither of which are obscurely glazed, serve habitable rooms (the ground floor window serving as a secondary window to the living room and the first floor window serving as a secondary window to a bedroom).

7.3.3 Whilst activity is likely to have occurred historically on the area of hardstanding to the front of the former Walton-le-Dale Conservative Club building the proposed area of raised decking partly under cover of a canopy would encourage patrons to use this external area for extended periods of time.

7.3.4 The elevated position of the first window on the side elevation of 8 Chorley Road, together with it being set towards the front end of the gable, reduces the degree of potential overlooking/loss of privacy from the proposed raised decking to the extent that this impact is not considered to be significant.

7.3.5 A distance of 4m would be present from the unobscured ground floor window located centrally on the gable of 8 Chorley Road to the proposed raised decking which, in addition to having stair access on its western side, does not propose any screening. The potential for overlooking / loss of privacy from the use of the area of raised decking with a 4m spatial separation distance to the ground floor window is substantial and would have a significant detrimental impact on the residential amenity of the owners/occupier of 8 Chorley Road contrary to the requirements of Policy G17 (a) of the South Ribble Local Plan.

7.3.6 The impact the change of use and proposed physical alterations would have on neighbouring properties is assessed under the 'Noise / Disturbance' section of this report.

7.4 Highway Issues

7.4.1 The site is in a highly sustainable location within a Local Centre and is close to bus connections and a public car park. County Highways have confirmed that the existing waiting restrictions in the vicinity of the site are sufficient to control on road parking. No objections to the proposal have been raised by County Highways having considered the highway and pedestrian safety implications associated with the proposed development.

7.5 Noise / Disturbance

7.5.1 As a result of the historic use as the Walton-le-Dale Conservatives Club the lawful use of the building as a private members club is not subject to any planning restrictions, including hours of opening. Whilst the fall-back position for the application to reopen the building under its current lawful use this does not provide justification for treating this application for a change of use any differently. Given consideration to the proposed use and the proximity of the site to residential properties Environmental Health would recommend conditions be imposed relating to sound insulation, delivery and waste collection, restrictions on the use of

windows and external doors, the installation of a noise limiter, agreement of extraction system and external plant details, provision of waste storage facilities and restrictions on the disposal of glass in order address potential concerns regarding the change of use element of the proposal.

7.5.2 The use of the proposed installation of raised decking by patrons however is of significant concern to Environmental Health. With the adjacent residential property to the west (8 Chorley Road) having a ground floor living room window and a first floor bedroom window directly facing the proposed area of raised decking at a minimum distance of 4m, together with residential properties on the opposite side of Chorley Road at a minimum distance of 14m, it is their view that the use of the area of decking by patrons would have a serious adverse impact on the amenities of nearby occupiers by reason of noise disturbance. It is not possible for the imposition of conditions on any given approval to overcome these concerns as the design and location of the proposed raised decking at the main entrance to the building and providing disabled access means that it would be extremely difficult for the proprietor to adhere with any condition restricting the times that the area can be used.

7.5.3 It had been suggested to the applicant that they may wish to omit the proposed area of raised decking from the proposal however no such amendment has been forthcoming, with the applicant instead highlighting a number of other pubs and drinking establishments in the Borough where associated external areas are in close proximity to residential properties. Each application has however to be judged on its own merits and it is the view of Environmental Health Officers that the inter-relationship in this case, particularly with the two habitable room windows on the side elevation of 8 Chorley Road, cause them significant concern.

7.5.4 For the above reasons the proposal would be contrary to paragraph 170 of the National Planning Policy Framework, Policy G17 (a) of the South Ribble Local Plan and Policy 17 (c) of the Central Lancashire Core Strategy.

7.6 CONCLUSION

7.6.1 The proposed area of raised decking to the front of the building would have a significant detrimental impact on the residential amenity of the owners/occupier of 8 Chorley Road in terms of overlooking / loss of privacy to the ground floor window on the eastern side elevation contrary to the requirements of Policy G17 (a) of the South Ribble Local Plan. Furthermore the use proposed area of raised decking by patrons would result in a serious adverse impact on the amenities of owners/occupiers of nearby residential properties, particularly 8 Chorley Road, by reason of noise contrary to paragraph 170 of the National Planning Policy Framework, Policy G17 (a) of the South Ribble Local Plan and Policy 17 (c) of the Central Lancashire Core Strategy. The application is therefore recommended for refusal.

RECOMMENDATION:

Refusal.

REASONS FOR REFUSAL:

1. The proximity of area of raised decking to the ground floor habitable room window on the eastern side elevation of 8 Chorley Road would lead to a loss of privacy by way of overlooking which would be detrimental to the residential amenity of neighbouring residents. As such, the proposed development is contrary to Policy G17 (a) of the South Ribble Local Plan.

2. The area of raised decking will encourage patrons to congregate outside the drinking establishment resulting in increased noise and disturbance which will have a detrimental impact on the residential amenities of the locality, particularly the two habitable room windows on the eastern side elevation of 8 Chorley Road. The proposal is therefore considered to be contrary to paragraph 170 of the National Planning Policy Framework, Policy G17 (a) of the South Ribble Local Plan and Policy 17 (c) of the Central Lancashire Core Strategy.

RELEVANT POLICY

1 Locating Growth (Core Strategy Policy)

9 Economic Growth and Employment (Core Strategy Policy)

POLE5 Local Centres

POLG17 Design Criteria for New Development

NPPF National Planning Policy Framework

Note:
