

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 disabled access ramp to front. Alterations to windows, new door opening and fire escape to rear.

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

Date application valid 05.10.2018
Target Determination Date 30.11.2018
Extension of Time 11.01.2019



1. INTRODUCTION

1.1 Members will recall that this application previously came before the Planning Committee at the meeting on the 6th December 2018. At that meeting the decision was made to defer the application to allow the applicant to provide amended plans, omitting a proposed area of raised decking to the front, in response to concerns raised by Members in relation to neighbouring amenity and the potential for noise disturbance.

2. REPORT SUMMARY

2.1 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.

2.2 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 a canopy to the front, ramped access, alterations to windows, the installation of a new door opening and the relocation of a first floor fire escape to the rear.

2.3 The plans have been amended to omit a proposed area of raised decking to the front in response to concerns raised by Officer and Members in relation to neighbouring amenity and the potential for noise disturbance.

2.4 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.

2.5 Subject to the imposition of conditions the proposed use can be controlled so as not to have a detrimental impact on the amenities of neighbouring properties.

2.6 There are no highway safety or highway amenity issues associated with the proposal.

2.7 The proposal accords with Policies 1 and 9 of the Core Strategy and Policies E5, F1 and G17 of the South Ribble Local Plan. The application is therefore recommended for approval subject to the imposition of conditions.

3. APPLICATION SITE AND SURROUNDING AREA

3.1 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.

3.2 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.

3.3 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).

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

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

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

4. SITE HISTORY

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

4.2 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.

5. PROPOSAL

5.1 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 a canopy to the front, ramped access, alterations to windows, the installation of a new door opening and the relocation of a first floor fire escape to the rear.

5.2 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.

5.3 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.

5.4 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.

5.5 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.

5.6 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”.

5.7 The plans have been amended to omit a proposed area of raised decking to the front in response to concerns raised by Officer and Members in relation to neighbouring amenity and the potential for noise disturbance.

6. REPRESENTATIONS

1 letter of objection has been received in relation to the proposal as originally submitted (including the then proposed area of raised decking to the front). 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

Additional consultation has since been undertaken in relation to the submitted amended plans. Any response/s received will be conveyed to the Planning Committee at the Planning Committee meeting.

7. CONSULTATION REPLIES

Environmental Health have confirmed that they have no objections to the plans as amended subject to conditions relating to hours of construction, delivery and waste collections, restrictions on the use of outdoor areas, noise control measures, the installation of a noise limiter, extraction, details of plant, waste storage and the disposal of glass. A recommended condition relating to sound insulation does not meet the test for conditions as it would be controlled under Building Regulations and any statutory nuisance in relation to noise enforced by Environmental Health.

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.

8. MATERIAL CONSIDERATIONS

Policy Considerations

8.1 i) NPPF

8.1.1 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"*.

8.2 ii) Core Strategy Policy Considerations

8.2.1 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.

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

8.3 iii) South Ribble Local Plan 2012-2026

8.3.1 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”.

8.3.2 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.

8.4 Character / Appearance

8.4.1 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.

8.4.2 The proposed canopy and access ramp to the front will not have an adverse impact the streetscene which is varied in terms of design and character.

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

8.5 Relationship To Neighbours

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

8.5.2 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).

8.5.3 To the front of a building a canopy is proposed to serve as a smoking shelter. It is reasonable to assume that activity is likely to have occurred historically on the area of hardstanding to the front of the former Walton-le-Dale Conservative Club building. A condition can be imposed on any permission to restrict the use of the shelter to discourage patrons from using this external area for extended periods of time (i.e. no seating, no tables and no heaters).

8.6 Highway Issues

8.6.1 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.

8.7 Noise / Disturbance

8.7.1 As a result of the historic use as the Walton-le-Dale Conservatives Club the lawful use 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 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. A recommended condition relating to sound insulation does not meet the test for conditions as it would be controlled under Building Regulations and any statutory nuisance in relation to noise enforced by Environmental Health. Hours of opening would be controlled through licensing.

8.7.2 Previously concerned had been raised by Officers and some Members of the Planning Committee in regard to a proposed area of raised decking to the front of the premise. These concerns are considered to have been addressed on the amended plans.

9. CONCLUSION

9.1 The proposed change of use of the property from a private members club (Sui Generis) to a drinking establishment (Class A4) together with a canopy to the front, ramped access, alterations to windows, the installation of a new door opening and the relocation of a first floor fire escape to the rear complies with the requirements of Policy E5 and is acceptable. The proposed development would be in character of the local area and will not impact 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 E5, F1 and G17 of the South Ribble Local Plan. The application is therefore recommended for approval subject to the imposition of conditions.

POLICY CONSIDERATIONS

- 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

RECOMMENDATION:

Approval with Conditions.

RECOMMENDED CONDITIONS:

1. That the development 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 numbered TW008 0 (Location & Ramp Plan) and TW009 0 (Proposed Front Elevations).

REASON: To ensure a satisfactory standard of development in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G1 of the South Ribble Local Plan (2012-2026).

3. Building work with machinery, plant or powered tools shall be undertaken outside the hours of 08:00 to 18:00 Monday to Friday 09:00 - 13:00 on Saturdays. No construction shall take place at anytime on Sundays or nationally recognised Bank Holidays.

Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 17 of the Central Lancashire Core Strategy and Policy G17 of the South Ribble Local Plan.

4. There shall be no deliveries to the rear or waste collection between 1900 hours and 0800 hours Monday to Saturday and no deliveries or waste collection on Sundays or Bank Holidays.

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

5. The smoking shelter/canopy must not be used by customers to consume food or drink to ensure that patrons so not cause nuisance to nearby residential properties.

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

6. No seating or tables shall be provided externally without prior consent from the Local Planning Authority.

REASON: To safeguard the living conditions of nearby residents particularly with regard to the effects of noise in accordance with Policy 17 in the Central Lancashire Core Strategy

7. There shall be no speakers fitted externally without prior consent from the Local Planning Authority.

REASON: To safeguard the living conditions of nearby residents particularly with regard to the effects of noise in accordance with Policy 17 in the Central Lancashire Core Strategy

8. There shall be no external floodlighting or patio heaters installed in the outside area without prior consent from the Local Planning Authority.

REASON: In the interests of the amenity of the nearby residents in accordance with Policy 17 of the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan 2012-2026.

9. Windows to the premises shall be kept closed during licensed hours. Doors to the premises shall be kept closed and shall only be used for access into and out of the building i.e. shall not be propped open. The entrance used by the public shall be of a vestibule (lobby) construction with self-closers fitted to both sets of doors, this is to prevent noise break out.

Reason: In the interests of the amenity of the nearby residents in accordance with Policy 17 of the Central Lancashire Core Strategy and Policy B6 in the South Ribble Local Plan.

10. Prior to first use of the premises a sound limiter device shall be fitted. Details of the device shall be submitted to the local planning authority, once agreed all amplified audio shall be played through the limiter. The limiter shall be set to ensure that the resulting sound cannot be heard at neighbouring properties. On the receipt of any complaints to the local authority relating to sound emissions from the development then the limiter shall be set to the requirements of the Environmental Health Department of the local authority.

Note: It is recommended that an octave sound limiter is used since this utilises better control and quality of sound. Cheaper systems will simply cut the music once a certain volume has been reached.

Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 17 of the Central Lancashire Core Strategy and the NPPF.

11. Prior to the installation of any external fixed mechanical plant, equipment, air conditioning units and/or condenser units or extraction systems to the extension full details of the siting and noise and odour levels to be experienced at the nearest properties and the fixings to be used shall be provided to the local planning authority for written approval. The approved system shall then be installed as agreed and thereafter maintained as approved. Any changes to the system shall first be agreed with the local planning authority in writing.

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

12. Prior to the commencement of the development full details of the waste storage facilities for each unit shall be submitted to and approved in writing by the Local Planning Authority. The waste storage area shall provide effective and sufficient storage facilities for refuse and to safeguard amenities and living conditions of any nearby residents particularly with regards to odour, noise and insects. Access to the bin store shall only be used between the hours of 1100 hours to 2200 Monday to Saturday and 1100 to 2100 hours Sunday 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 and Policy G17 in the South Ribble Local Plan.

13. Prior to the first use of the premises full details of a scheme for the disposal of glass bottles shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall demonstrate that glass bottles and refuse can be disposed of without causing an adverse impact upon neighbouring properties. The approved scheme shall then be implemented for the duration of the development.

Reason: In the interests of the amenity of the nearby residents in accordance with Policy 17 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)

POLE5 Local Centres

POLG17 Design Criteria for New Development

NPPF National Planning Policy Framework

Note:
