

REPORT OF: THE PLANNING, BUILDING CONTROL AND LICENSING SERVICES MANAGER

TO: DEVELOPMENT MANAGEMENT COMMITTEE

DATES: 19th March 2018

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PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning applications.

REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE 19th MARCH, 2018

Application Ref: 18/0035/FUL

Proposal: Full: Retention of three outbuildings for storage use associated with the wine bar (Total floor area 30sq.m.) (retrospective).

At: 79-81 Gisburn Road, Barrowford

On behalf of: Miss Jade Pilling

Date Registered: 26 January 2018

Expiry Date: 23 March 2018

Case Officer: Kathryn Hughes

This application has been referred from Barrowford & Western Parishes Committee as Members were minded to refuse the application due to the buildings being unsightly, impracticable and the loss of one parking space. These reasons could lead to costs against the Council in the event of an appeal.

Site Description and Proposal

The application site is a double fronted mid terrace property located within Barrowford Town Centre.

The proposal is to retain three outbuildings to the rear area of the premises.

The site is within the settlement boundary and lies within a secondary shopping frontage. The site is also within Barrowford Conservation Area.

Relevant Planning History

18/0031/VAR – Variation of Condition: Vary Condition 7 of Planning Permission
16/0621/FUL to increase opening hours - Pending.

17/0059/FUL - Full: Change of use of land to external seating area associated with coffee shop/wine bar (A3/A4) – Refused.

17/0050/ADV – Advert Consent: Advert Consent: Display one 7.5m x 0.725m illuminated fascia sign, one 0.65m x 1.5m illuminated projecting sign and one 1.1m x 0.75m illuminated door sign – Approved.

16/0621/FUL – Full: Change of use from hairdressers (A1) to mixed use coffee shop/wine bar (A3/A4) and external alterations to the frontage including raised seating area – Approved 23rd November, 2016.

13/03/0654P – Advert Consent: Signage to front of shop – Granted 20th November, 2003.

Consultee Response

LCC Highways – Objects on highway safety grounds as the proposal would remove the parking space to the rear. The current structure and planters would not allow a vehicle to enter and leave in forward gear. Vehicles going to these premises may obstruct access to neighbouring properties and thereby have a negative impact on residential amenity.

Barrowford Parish Council – Objection: Planning permission was refused for previous application and this would remove the only off road parking for staff. Surely adequate storage provision for both food and drink was included in the previous application. The need for off road parking for employees is of critical importance within the Defined Shopping Area enabling on street parking to be utilised by customers and users of the shopping area.

Public Response

Site and press notices posted and nearest neighbours notified by letter.

Three responses received objecting on the following grounds:

- These were built without permission and they did not ask my neighbours permission;
- The large timber storage shed has been erected too close to my rear wall and as such it is limiting any maintenance to rear. I already have damp where the shed sits behind;
- These buildings have been erected without thought or discussion;
- They should have adequate storage inside the premises;
- The size and number of buildings means insufficient space to manage waste storage adequately; and
- There are currently bins, empty barrels, food waste, cardboard and glass shrewn around the back street and the large bins and barrels block access to neighbouring properties.

One response received neither objecting or approving the application but commenting on the Parish Council response and stating that they places a large shipping container on the land to the side of Holmefield House without the benefit of planning permission and this matter should be enforced and the container removed.

Officer Comments

The main issues to consider in this application are principle of use, impact on conservation area, impact on amenity, design and materials and parking issues.

Policy

The following Local Plan Core Strategy: Part 1 policies are relevant in terms of this proposal:

Policy ENV1 (Protecting and Enhancing Our Natural and Historic Environments) requires developments to make a positive contribution to the protection, enhancement, conservation and interpretation of our natural and historic environments.

Policy ENV2 states that all new development should seek to deliver the highest possible standards of design, in form and sustainability, and be designed to meet future demands whilst enhancing and conserving heritage assets.

The Conservation Area Design and Development Guidance SPD is also relevant here.

The following saved policies of the Replacement Pendle Local Plan are relevant:

Replacement Pendle Local Plan policy 31 sets out the maximum amount of parking for each use class.

Impact on Conservation Area

Local Authorities have a duty under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to preserve and enhance the appearance and character of Conservation Areas.

The outbuildings are sited to the rear and would not be prominent in the streetscene.

The use of natural materials for cladding the two metal structures would be appropriate in this location.

Subject to appropriate materials to clad this is acceptable and adheres to the Conservation Area Design and Development Guidance SPD in accordance with policy ENV1 of the Pendle Local Plan: Part 1.

Impact on Amenity

The area would not be used by customers of the coffee shop/wine bar the outbuildings are sited to the side of the an existing structure which screens them from public views along

There are private views from the rear windows of neighbouring properties and the impact upon public amenity is limited.

Design and Materials

Policy ENV2 requires proposals to contribute towards the sense of place and make a positive contribution to the historic environment and local identity and character.

These are small scale outbuildings and subject to appropriate cladding materials these would be acceptable in this location and therefore the proposed would accord with policies ENV1 and ENV2 of the Pendle Local Plan: Part 1 and the Conservation Area Design and Development Guidance SPD.

Parking Issues

The site previously had one existing parking space located to the rear. This use removes this space thereby resulting in more on street parking in the area. The site is within a shopping centre location and whilst off-street parking is at a premium the loss of this one space would not warrant a refusal in my opinion.

Summary

The outbuildings are acceptable in terms of siting and scale and would have a minimal impact on the Conservation Area and amenity in terms of public views provided that appropriate materials are used to clad the two larger metal units are submitted for approval.

Reason for Decision

Section 38 of the Planning and Compulsory Purchase Act 2004 requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise. The outbuildings would be acceptable subject to appropriate conditions and would accord with policies ENV1 and ENV2 of the Pendle Local Plan Core Strategy and the Conservation Area Design and Development Guidance SPD.

RECOMMENDATION: Approve

1. The development hereby permitted shall be carried out in accordance with the following approved plans:

01, 02 & 03.

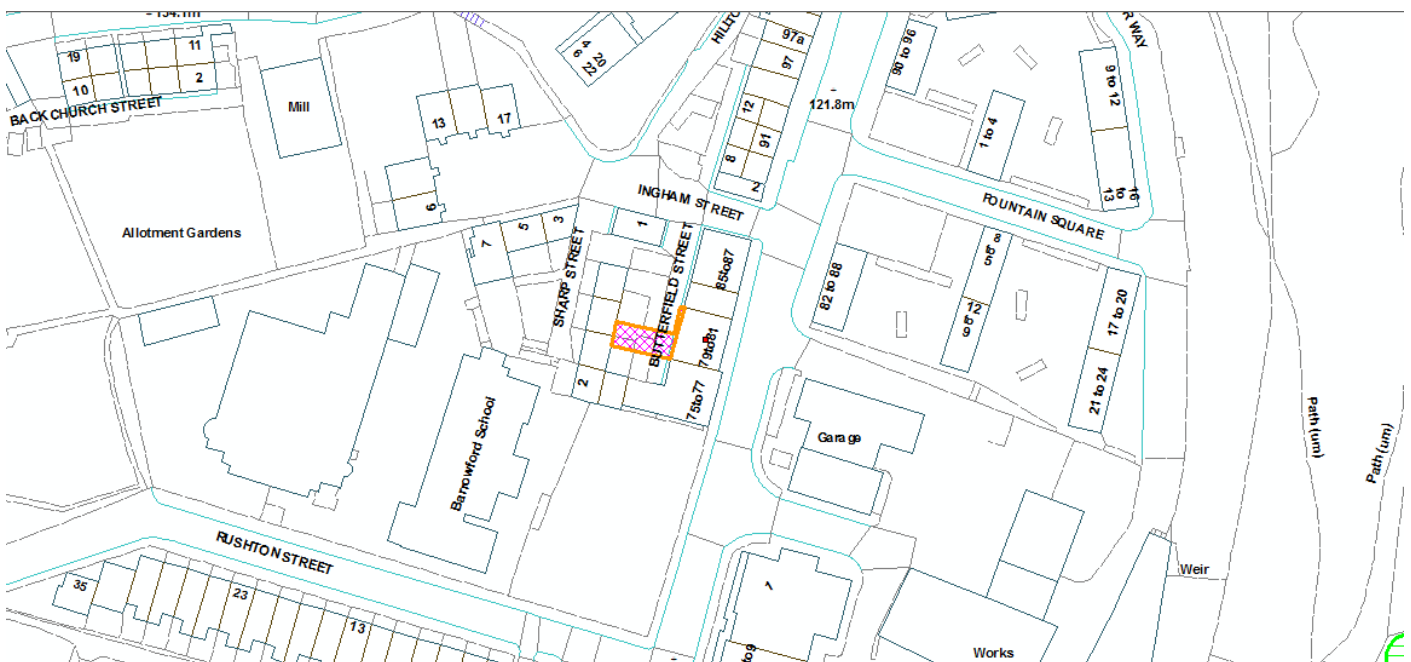
Reason: For the avoidance of doubt and in the interests of proper planning.

2. Within one month of the decision notice sample of the cladding for the two metal containers shall be submitted to and approved in writing by the Local Planning Authority. The containers shall thereafter be clad in the approved materials within a three month period and shall thereafter retained in accordance with the approved materials.

Reason: In order to ensure that the containers are clad with materials that are appropriate to the locality and in order to allow the Local Planning Authority to control the external appearance of the development.

3. The outside area to the rear and associated outbuildings shall not be available for customers or any other person not employed within the business operating from the site at any time. These outbuildings shall only be used for the storage of food and drink associated with the business and not for any other use.

Reason: In the interests of the aural amenity of adjacent residential properties.



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APPENDICES

LIST OF BACKGROUND PAPERS

Planning application

NPW/MP

Date: 09th March, 2018