

Committee Report

Date:02.11.2022

Item Number	02
Application Number	22/00766/FUL
Proposal	Alterations to elevations to include the installation of sliding folding screen to Market Place elevation, installation of new windows to Hardhorn Road elevation including lowered cills and installation of 5no. Velux roof windows to West elevation
Location	33 Market Place Poulton-Le-Fylde Lancashire FY6 7BS
Applicant	Messrs. Adam And Michael Palin And Heyes
Correspondence Address	c/o Mr Mark Heyes 59 Mountbatten Close Ashton-on-Ribble Preston PR2 2YJ
Recommendation	Permit

REPORT OF THE HEAD OF PLANNING SERVICES**CASE OFFICER - Mrs Hannah Hale**

Site Notice Date: 02.09.2022

Press Notice Date: 17.08.2022

1.0 INTRODUCTION

- 1.1 This planning application is presented before planning committee at the
- 1.2 request of Cllr Henderson. A site visit is recommended to enable members to understand the site context beyond the plans submitted and site photographs taken by the case officer.

2.0 SITE DESCRIPTION AND LOCATION

2.1 The application site is a three storey building located in a prominent corner position at the road junction of Queens Square, Hardhorn Road and Blackpool Old Road within the primary shopping area in the centre of Poulton-le-Fylde. The application site is located on a busy one way road system. The end terraced property is within a row of commercial properties and is not a Listed Building but is attached to a Listed Building (25-31 Market Place) and the site is within the Poulton Conservation Area. The property is rendered in white with black windows, doors and detailing.

3.0 THE PROPOSAL

3.1 The application seeks planning permission for alterations to the external elevations to include the installation of a sliding folding screen to the (front) Market Place elevation, installation of new windows to the Hardhorn Road elevation

including lowered eaves and the installation of 5no. Velux roof windows to the Western (side) elevation.

4.0 RELEVANT PLANNING HISTORY

4.1 22/00066/ADV - Advertisement consent for 2 non illuminated signs - permitted

4.2 06/00437/ADV - Advertisement consent for illuminated sign - permitted

5.0 PLANNING POLICY

5.1 ADOPTED WYRE BOROUGH LOCAL PLAN

5.1.1 The Wyre Local Plan 2011-2031 (WLP31) was adopted on 28 February 2019 and forms the development plan for Wyre. To the extent that development plan policies are material to the application, and in accordance with the provisions of section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise.

5.1.2 The following policies contained within the WLP 2031 are of most relevance:

- CDMP1 - Environmental Protection
- CDMP3 - Design
- CDMP5 - Historic Environment
- CDMP6 - Accessibility and Transport
- EP4 - Town, District, Local and Community Centres
- EP5 - Main Town Centre Uses

5.2 EMERGING LOCAL PLAN PARTIAL REVIEW

5.2.1 A Publication version of the Wyre Local Plan Partial Review underwent a public consultation between 30 November 2021 and 18 January 2022. The Submission draft Wyre Local Plan Partial Review 2011-2031 (WLPPR31) was approved for submission to the Secretary of State for examination on 15 April 2022 and approved for Development Management purposes. Presently the Submission draft WLPPR31 forms a material consideration of limited weight in the consideration of planning applications.

5.3 NATIONAL PLANNING POLICY FRAMEWORK 2021

5.3.1 The revised National Planning Policy Framework (NPPF) was published by the Government on 20th July 2021. It sets out the planning policies for England and how these should be applied in the determination of planning applications and the preparation of development plans. At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 11). The policies in the 2021 NPPF are material considerations which should also be taken into account for the purposes of decision taking.

5.3.2 The following sections / policies set out within the NPPF are of most relevance:

- Section 4 - Decision-making
- Section 12 - Achieving well-designed places

- Section 16 - Conserving and enhancing the historic environment

OTHER MATERIAL CONSIDERATIONS

5.4 WYRE SUPPLEMENTARY PLANNING GUIDANCE

SPG3: Signs and shop fronts in Conservation Areas

5.5 THE PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990 (PLBCA), S.66 and S.72

6.0 CONSULTATION RESPONSES

6.1 LANCASHIRE COUNTY COUNCIL (HIGHWAYS)

6.1.1 No objections

6.2 WBC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (ENVIRONMENTAL PROTECTION - AMENITY)

6.2.1 No objections

6.3 POULTON-LE-FYLDE HISTORICAL & CIVIC SOCIETY

6.3.1 No objections

7.0 REPRESENTATIONS

7.1 None received

8.0 CONTACTS WITH APPLICANT/AGENT

8.1 Contact was made and an extension of time was agreed. The agent provided additional information in respect of the use of the ground floor and opening hours and agreed a condition in respect of the bi-fold door.

9.0 ISSUES

9.1 The main issues in this application are as follows:

- Principle of the Development
- Visual Impact, Design and Impact on the street scene
- Impacts upon Residential Amenity
- Impacts upon Highway Safety and Parking
- Historic Environment

Principle of Development

9.2 The site is located within the town centre / primary shopping area boundary of Poulton-le-Fylde as defined on the Policies Map to the Wyre Local Plan. Policy EP4 of the Wyre Local Plan directs retail, leisure and other main town centre uses to the existing centres and encourages a diversity of uses to maximise vitality and viability of the centre. Policy EP5 of the Wyre Local Plan supports changes of use that are appropriate in scale, role and function to the centre.

9.2.1 There is no change of use proposed as part of this application, which relates to external alterations to the existing building only. The ground floor is currently vacant and was previously used as a bar and the first floor is used as a nightclub.

9.2.2 In terms of national policy, the NPPF gives support to business and sets out that planning should operate to encourage, and not act as an impediment to, sustainable growth. Significant weight should be placed on the need to support economic growth through the planning system with a proactive approach to meet the development needs of business.

9.2.3 Overall, the application would accord with the relevant national and local planning policies and is considered to be acceptable in principle subject to other matters which will be considered elsewhere in this report.

Visual Impact / Design / Impact on the street scene

9.3 It is noted that the building lies within the Poulton-le-Fylde Conservation Area and the adjoining building, No.25-31 Market Place, is a Grade II Listed Building. Proposals in and adjacent conservation areas are required to respect the existing character of and setting of the area together with views into or out of the area. The use of materials, including colour, should be appropriate. Further advice is given in SPG3 which requires new signs/shop fronts to respect the historic qualities of the Conservation Area.

9.3.1 Poulton Historical Society and Wyre Council's Conservation Officer acknowledge that the proposal has the merit of preserving this prominent building including the façade, which is a backdrop for neighbouring listed buildings; and given the limited changes externally, have no objections to the alterations in principle.

9.3.2 The proposed materials would have an acceptable appearance and in view of the aforementioned considerations, the detail of the enlarged windows on the Hardhorn Road elevation retains the existing detail and the window design is kept very simple, in quality materials and in dark colours. The extant parts of the original shopfront (pilasters, fascia) will remain and the new frontage has been proposed in quality materials and dark colours. The proposed development is considered to preserve the appearance of the Poulton-le-Fylde Conservation Area in accordance with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and guidance in the NPPF. The application would also accord with policy CDMP5 of the Wyre Local Plan.

Impact on the residential Amenity

9.4 The subject building is in a town centre location where there are few residential properties in close proximity to the site. The agent has confirmed that the emphasis of the ground floor (which has been unused for a number of years) will be on food, with the Ground Floor opening 9.00am to 7.00pm offering brunches, lunch and afternoon tea, small plates and drinks. It is also confirmed the proposed bi-fold doors to the ground floor will not be opened later than 7.00pm and officers recommend this is secured by a condition.

9.4.1 The main impact from the proposed alterations, particularly the addition of a bi-fold door to the Market Place elevation, is unlikely to lead to a potential increase in noise and disturbance to any surrounding neighbours. No objections have been received from neighbours and it is noted that there are only a small number of flats and dwellings within the wider area likely to be affected. The premises is in close

proximity to other established pubs/bars/restaurants within the town centre and in view of the location adjacent to a busy road, it is considered that there is a reasonable level of noise generating from existing sources in this area. The Council's Environmental Health (Amenity) Team has commented on the application and have raised no objections. They verbally confirmed that it would be preferable to ensure the bi-folding doors to the front elevation be closed in the evening in order to protect amenity at night-time. This can be secured by condition as mentioned above. It is deemed that there would be no significant detrimental impact on amenity through noise or disturbance and the proposal would comply with the requirements of policy CDMP1 and CDMP3 of the Wyre Local Plan.

9.4.2 The proposal would not result in an increase in overlooking or additional loss of privacy as a result of the proposed alterations to the windows. The windows on the Hardhorn Road elevation would remain largely the same as existing with the exception of the lowering of the cills. The 5 new windows proposed to the western (side) elevation would be velux windows set into the roof to increase light into the property and would be in a position not readily visible from the street scene and would therefore result in no additional overlooking or loss of privacy. The proposed bi-fold doors replace a large existing window to the front (Market Place) elevation so there would be no unacceptable amenity issues caused by this alteration.

Impact on Highway / Parking

9.5 The proposals are not intended for any increase in the use or activity at the site, and there is not likely to be any significant increase in the number of vehicle movements to and from the site. As such the proposal would not have any adverse impacts upon highway or pedestrian safety and would satisfy policy CDMP6 of the Wyre Local Plan.

Historic Environment

9.6 The application site is an undesignated building that sits within Poulton-le-Fylde Conservation Area and is close to a number of listed buildings. In determining planning applications, local planning authorities have special duties with regard to preserving the setting of listed buildings and the character and appearance of conservation areas under s66 and s72 of the Town and Country (Listed Buildings and Conservation Areas) Act 1990 respectively. The NPPF emphasises that great weight should be given to the conservation of heritage assets and that the significance of an asset can be harmed by development within its setting (NPPF paragraph 193-4). Policy CDMP5 of the Local Plan seeks (amongst other criteria) to protect, conserve and where appropriate enhance the historic environment through high standards of design.

9.7 The Council's Conservation Officer notes that the proposed development is considered to preserve the appearance of the Poulton-le-Fylde Conservation Area and the setting of any nearby listed buildings in Queen Square or Market Place. It is therefore also considered to sustain the significance of these designated heritage assets. This application is consequently considered to be in conformity with S.66(1) and S.72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, section 16 of the NPPF and Policy CDMP5 of the Wyre Local Plan 2011 - 2031.

10.0 CONCLUSION

10.1 The proposal is acceptable in principle and would not result in any harmful impact on the Poulton-le-Fylde Conservation Area. The development would have an

acceptable impact in terms of design, amenity and highways safety. All other relevant material planning considerations have been assessed and found to be acceptable and the proposal would comply with the relevant policies in the NPPF and Wyre Local Plan (2011-31). It is, therefore, recommended that planning permission be granted, subject to conditions.

11.0 HUMAN RIGHTS ACT IMPLICATIONS

11.1 ARTICLE 8 - Right to respect the private and family life has been considered in coming to this recommendation.

11.2 ARTICLE 1 - of the First Protocol Protection of Property has been considered in coming to this recommendation.

12.0 RECOMMENDATION

12.1 Grant full planning permission subject to conditions

Recommendation: Permit

Conditions: -

1. The development must be begun before the expiration of three years beginning with the date of this permission.

Reason: This condition is required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the Planning Application received by the Local Planning Authority on 27.07.2022 including the following plans/documents:

- Site Location Plan: plan reference 2075.01 (received 27.07.2022)
- Proposed Part Ground Plan and Front Elevation: plan reference 2075.03 (received 27.07.2022)
- Proposed First Floor Plan: plan reference 2075.05 (received 27.07.2022)
- Proposed Side Elevation: plan reference 2075.07 (received 27.07.2022)
- Proposed Ground Floor Plan: plan reference 2075.09 (received 27.07.2022)
- Proposed Side Elevation: plan reference 2075.11 (received 27.07.2022)
- Proposed Site and Roof Plan: plan reference 2075.12 (received 27.07.2022)

The development shall be retained hereafter in accordance with this detail.

Reason: For the avoidance of doubt and so that the Local Planning Authority shall be satisfied as to the details.

3. The development shall be carried out strictly using those materials specified on the application form unless other minor variations are submitted to and approved in writing by the Local Planning Authority after the date of this permission and before implementation.

Reason: To safeguard the visual amenities of the locality and in accordance with Policy CDMP3 of the Wyre Local Plan (2011-31).

4. The bi-folding doors on the front elevation as shown on the approved floor plan shall be closed at 19.00 on any day and shall remain closed until no earlier than 09:00 on the following day.

Reason: To avoid an unacceptable impact on residential amenity by virtue of noise in accordance with Policy CDMP1 of the Wyre Local Plan and the National Planning Policy Framework.