

Committee Report**Date: 04.03.2020**

Item Number	01
Application Number	19/01306/FUL
Proposal	Change of use of former Police Station to create a mixed use retail and leisure development comprising a food/retail hall, the erection of a part single and part 2 storey rear extension (following demolition of existing garages to the rear) and inclusion of external seating area to the front
Location	Former Police Station Market Place Poulton-Le-Fylde Lancashire FY6 7AS
Applicant	BY1 Limited
Correspondence Address	c/o Smith And Love Planning Consultants FAO Miss Abigail Kos Rational House 32 Winckley Square Preston PR1 3JJ
Recommendation	Permit

REPORT OF THE HEAD OF PLANNING SERVICES**CASE OFFICER - Mr Karl Glover****1.0 INTRODUCTION**

1.1 This application is before Members of the Planning Committee as it is considered to be of public interest. A site visit is recommended to enable Members to understand the proposal beyond the plans submitted and the photos taken by the Case Officer.

2.0 SITE DESCRIPTION AND LOCATION

2.1 The site which forms the subject of this application relates to the former Poulton Police Station and is located in a prominent position on the eastern side of Market Place in the heart of the town centre of Poulton-le-Fylde. The police station was decommissioned in 2018 and has subsequently stood vacated since. The building comprises of a two storey structure built in two stages approximately circa 1900 and the early 1960s. The front elevation of the building is made up of contrasting design and materials, at ground floor materials comprise of red brick with natural stone window surrounds. There is a central iron gated underpass with large timber dressed windows either side. The first floor was a later addition and comprises of a dark brick with four large windows contained under a pitched slate roof. To the rear is an enclosed yard which was used as the former car park and is contained by a high level redbrick wall to the north and east and to the south by the gable rear elevations of adjacent properties. A single storey extension with adjoining ancillary garage is also located to the rear of the building.

2.2 The immediate surrounding area is mixed character. To the north of the site is the rear of the businesses located on Chapel Street Court including two first floor balconies which are used for business use and also two first floor residential apartments (numbers 3 and 4 a Chapel Street Court). A private carpark lies immediately to the east along with access to the residential flats which are located above a row of shops on Chapel Street. Adjoining the site to the south west and fronting Market Place is the Masonic Hall (number 12-16) and to the south east, the site is directly adjoined by three town houses (3-7a, b and c Queens Square). Market Place and the immediate surrounding area is made up and occupied by various businesses and uses including restaurants, banks, hair salon, convenience store, retail, offices and drinking establishments.

2.3 The application site is centrally located within Poulton-le-Fylde Conservation Area and is in close proximity to a number of listed buildings and structures including the Grade 2* St Chads Church to the north, number 2 to 6 Market Place (Grade2), the structures to the south including the Market Cross, Fish Stones, Stocks and Whipping Post along with the recently listed Grade II war memorial opposite the subject building. The K6 - type telephone box which immediately adjoins the application property is also a Grade 2 listed structure.

2.4 The site is shown on the Wyre Local Plan Proposals Map as being within the Primary Shopping Area and is identified as being a defined Secondary Retail Frontage. Restricted vehicle movements and access apply to Market Place and an outdoor market occurs every Monday except on bank holidays.

3.0 THE PROPOSAL

3.1 The application seeks consent for the change of use of the former Police Station to create a mixed use retail and leisure development comprising a food/retail hall, the erection of a part single and part 2 storey rear extension (following demolition of existing garages to the rear) and inclusion of external seating area to the front. The proposed hours of opening are 09:00hrs - 23:00 hrs Monday to Sunday with deliveries taking place between the hours of 07:00hrs - 10:00 hrs and 16:00 hrs - 21:00hrs.

3.2 The ground floor use of the building is to be converted with the existing toilets and offices located either side of the underpass to provide a small retail unit and coffee shop, accessible toilet and store room. The existing cell is to be retained in situ as a visitor attraction along with the existing steel gates to the main entrance of the archway. The existing archway will provide the main thorough route for the public and leads to the newly proposed extension where the covered food hall is proposed along with 5 stalls/kitchens and additional retail. Seating is proposed along with a designated pot wash area and a designated external bin store is to be located in the north eastern corner of the site. The rear extension is proposed to cover the whole of the existing rear car park and wraps around and abuts the existing boundary walls and neighbouring building which back on to the site. Externally the extension is to measure approximately 25m in length x 3.7m in height and 22m wide. The centrally located pitched roof lantern/roof light measures approximately 5m to the eaves and 8m to the ridge and is to be constructed using insulated metal panels and insulated metal sheeting to the roof with aluminium powder coated windows either side.

3.3 At first floor the proposal seeks to convert existing offices to provide male and female toilets a staff room and office. A first floor glazed sloping rear extension is proposed to provide a covered balcony/mezzanine. A fire escape is shown to be

provided on to the flat roof of the extension along with an area for required plant and extraction. To the front of the building above the existing windows either side of the main entrance retractable canopies are proposed to provide cover for an external seating area.

4.0 RELEVANT PLANNING HISTORY

4.1 98/00399 - Erection of (4.6m) radio arial to chimney stack - Approved

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:

- Policy SP1 - Development Strategy
- Policy SP2 - Sustainable Development
- Policy CDMP1 - Environmental Protection
- Policy CDMP2 - Flood Risk and Surface Water Management
- Policy CDMP3 - Design
- Policy CDMP4 - Environmental Assets
- Policy CDMP5 - Historic Environment
- Policy CDMP6 - Accessibility and Transport
- Policy EP4 - Town Centre, District, Local and Neighbourhood Centres
- Policy EP5 - Main Town Centre Uses
- Policy EP6 - Development in defined Primary and Secondary Frontages

5.2 NATIONAL PLANNING POLICY FRAMEWORK 2019

5.2.1 The revised National Planning Policy Framework (NPPF) was published by the Government on the 19th February 2019. 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 2019 NPPF are material considerations which should also be taken into account for the purposes of decision taking.

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

- Section 2 - Achieving Sustainable Development
- Section 6 - Building a Strong, competitive economy
- Section 7 - Ensuring the vitality of town centres
- Section 9 - Promoting sustainable transport
- Section 12 - Achieving well designed places
- Section 16 - Conserving and enhancing the historic environment

6.0 CONSULTATION RESPONSES

6.1 POULTON-LE-FYLDE HISTORICAL & CIVIC SOCIETY

6.1.1 Supports the proposal as it will see a redundant building brought back to productive use and the retention of the archway access and original cell will preserve the appearance of the frontage on to Market Place whilst allowing innovative development to the rear of the yard. Comments and recommended conditions suggested from the Conservation Officer and LCC Archaeology are supported.

6.2 GREATER MANCHESTER ECOLOGY UNIT

6.2.1 No objections, advised that the Bat Roost Assessment submitted showed no evidence of bats in the building and given the urban nature of the location the buildings are considered as having negligible potential to support roosting bats. Advice note recommended in relation to protected species.

6.3 LANCASHIRE COUNTY COUNCIL (HIGHWAYS)

6.3.1 No objections subject to conditions relating to construction management and hours of deliveries.

6.4 LANCASHIRE COUNTY COUNCIL (ARCHEALOGY)

6.5 No objections, advised that no further impact assessment is required to assess the potential for impacts upon buried remains however a condition for a programme of archaeological work in accordance with a written scheme of investigation should be attached.

6.6 WYRE BC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (NOISE)

6.6.1 No objections, subject to the mitigations measures set out in the submitted Noise Impact Assessment in relation to noise from the development being conditioned accordingly. Based on the submitted assessment it is not considered that the plant associated with the development will have a negative impact on the surrounding residential properties.

6.7 WYRE BC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (ODOUR)

6.7.1 The Odour Assessment submitted has identified that odour from the proposed development will need a high level of odour control. The mitigation measures proposed in sections 8 and 9 of the report should be conditioned and implemented in full

6.8 WYRE BC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (CONTAMINATION)

6.8.1 No objections subject to a post Phase 1 contaminated land assessment and watching brief condition being attached.

6.9 WYRE BC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (LICENSING)

6.9.1 No observations to make on the proposal. Should planning consent be forthcoming then an application for a premises licence to authorise activities on the site will be required.

6.10 WYRE BC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (WASTE MANAGEMENT)

6.10.1 No objections however advised that due to storage and access the property is most likely to receive weekly sack collection as opposed to containerised alternate weekly collection

6.11 WYRE BC HEAD OF ENGINEERING SERVICES (DRAINAGE)

6.11.1 No objections

6.12 WYRE BC MARKET MANAGER

6.12.1 Verbally advised that there was no objections to the proposal

7.0 REPRESENTATIONS

7.1 At the time of compiling this report there has been no letters of observation or objections received

8.0 CONTACTS WITH APPLICANT/AGENT

8.1 Contact has been made with the agent to discuss specific elements of the proposal including the outside seating area and confirmation regarding the hours of deliveries. Confirmation of the external colour to the rear extension has also been requested and pre commencement conditions have been agreed.

9.0 ISSUES

9.1 The main issues in this application are as follows:

- Principle of the Development
- Design/Impact upon the Character of the Area
- Historic Environment
- Impact upon Residential and Neighbouring Amenity (Noise, Odour, Lighting and Air Quality)
- Highway and transport impacts
- Flood Risk and Drainage
- Ecology

Principle of the Development

9.2 The former Police Station has been vacant since it ceased being used by Lancashire Constabulary in 2018 and is located within the heart of the main town centre and within the historic core of Poulton-le-Fylde Conservation Area. The application site is defined on the Local Plan Proposals Map as being within a secondary retail frontage and a primary shopping area. Policy EP4 of the Wyre Local Plan identifies Poulton le Fylde as a main town centre at the top of the retail hierarchy and directs retail, leisure and other main town centre uses towards existing

centres and supports a diversity of uses to maximise the centres vitality and viability subject to satisfying policies EP5 and EP6. Policy EP5 sets out that new retail development and other main town centre uses (including extensions and change of use) which are appropriate in scale, role and function will be permitted within defined centres where they accord with this policy as a whole. Policy EP6 sets out that within defined secondary frontages any proposals not falling within the A1 (retail) use class at ground floor will be permitted subject to meeting criteria 2.a)-c), as set out below:

- a) A minimum of 50% of the defined length of frontage in the block would remain in A1 use taking into account unimplemented planning permissions for changes of use; or the premises have been marketed for a Class A1 use in accordance with Policy SP6 (Viability);
- b) The proposed use is complementary to the secondary shopping function of the frontage and will contribute to vitality and viability;
- c) An active pedestrian level shop front is retained/provided

9.3 All three criteria are relevant to apply. With regards to criteria a), having reviewed the uses occupying the units within the identified secondary frontage, there would still be 50% of the length of the block retained in A1 retail use, and so allowing this building for non-retail uses would satisfy this. Planning history checks confirm there are no unimplemented planning permissions for change of use in this frontage which would affect this position. In terms of complying with criteria b) by introducing a mixed use food and retail hall to the vacant building it would provide a valued contribution to the vitality and viability of the town centre by reason of attracting tourist and visitors to the town centre and increasing pedestrian footfall which in turn would benefit surrounding businesses and boost the town centre economy. Criteria c) sets out that an active pedestrian level shop front is retained/provided. In this instance minimal external alterations are proposed to retain the character and integrity of the former police station however at ground floor the existing obscure glazing is to be replaced by clear glass and a retail display will be provided to one side of the building. This, in conjunction with the proposed external seating and new retractable canopies, will see a visual enhancement to the existing front of the building.

9.4 In this instance the proposed use and re development of the former Poulton police station as a proposed retail and food hall is considered to comply with the provisions of Policies EP4, EP5 and EP6 as set out above. The proposed use would enhance and sustain the existing character of the building and would encourage and attract pedestrian footfall back in to Market Place which is considered to be the primary hub of the Town Centre where in recent years retail uses have unfortunately diminished. This would also provide an economic boost, benefiting existing businesses and the wider local economy and create and provide (approximately 20 full and part time) employment opportunities which is also a fundamental requirement of the NPPF as set out in Section 6 (paragraph 80).

Design/Impact upon the character of the area

9.5 The submitted Design and Access Statement and Planning Statement documents that the proposed change of use will retain the theme and previous use of the building as a Police Station by naming it Bobby's Yard. The proposals seek to retain the original steel gates at the underpass along with the existing police cell as a design feature/visitor attraction. Externally to the front minimal works are proposed with the exception of replacement windows and projecting seating canopies which

are to be housed in timber boxes above the large ground floor windows. A large majority of the rear extension is predominantly flat roofed with an overall height of approximately 3.7m which would project 1m higher than the existing red brick boundary wall. The central atrium will be set in and has an overall ridge height of approximately 8m and externally finished in an anthracite grey (colour to be confirmed) insulated wall panel system. Views of the extension will primarily be experienced from the east across the adjacent existing car park, however due to the overall height and the suggested external finishes of the extension it is not considered that the development would result in significant adverse or detrimental impacts upon the character of the existing building or the visual amenity of the surrounding area.

9.6 The plans submitted show the location of the associated plant (extraction units, mechanical ventilation, and air-conditioning units) to be sited towards the south of the rear extension within the flat roof and adjacent to the neighbouring buildings. A full assessment of the impacts arising from noise and odours is set out later in the report within paragraphs 9.9 - 9.12. From a visual amenity point of view the plant will be screened by the existing buildings and the proposed central atrium. The proposed design of the extension and minor works to the front elevation is seen to comply with the provisions of Policy CDMP3 of the Wyre Local Plan.

9.7 Policy SP2 (Criteria 6) requires development proposals to demonstrate how it would respond to the challenge of climate change through appropriate design and by making best use of resources and assets, including the incorporation of water and energy efficiency measures through construction phases and the reuse and recycling in construction both in the selection of materials and management of residual waste. The applicant has responded to this by submitting an Environmental Statement. Within the submitted statement it sets out the flexibility, lightweight and recyclability of the materials used in the construction of the building. The statement goes on to set out how through energy efficiency and by using modern technologies including LED lighting systems the development would represent a sustainable form of development. Existing materials that are not proposed to be re used are to be recycled and where possible existing fabric will be refurbished and re used. Members are advised that in this instance the applicant has demonstrated that the proposal would satisfy this criteria of Policy SP2 of the Local Plan.

Historic Environment

9.8 The application site is an undesignated building that sits within Poulton-le-Fylde Conservation Area and close to a number of listed buildings within the historic market square. 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.

9.9 The Council's Conservation Officer notes that it is the front elevation of the building that provides the site with historic significance. With the exception of the addition of the two retractable canopy boxes above the existing front windows, the proposal would largely retain the existing front elevation in its entirety. There would be minimal visual impact on the appearance and character of the building which in

turn would sustain the buildings significance and setting within the Conservation Area. The main alterations and extensions proposed are predominantly to the rear of the building which is enclosed in each direction by built form along with a high level red brick boundary wall. Given the concealed location of the rear extension and having assessed the overall height of the proposal it is not anticipated that there would be a significant impact upon the historic integrity of the Conservation Area as views into and across the site from the rear are restricted. The Conservation Officer raises no concern subject to conditions being imposed regarding the treatment of the Market Place façade and advises that the proposed development would preserve the appearance of the adjacent listed buildings within the Conservation Area and also sustain the significance of the designated heritage assets which would comply with Policy CDMP5 and Section 16 of the NPPF. LCC Archaeology have requested that a pre commencement condition is attached to ensure that prior to any works commencing a phased programme of archaeological work in accordance with a written scheme of investigation is attached to safeguard the recording and inspection of matters of archaeological and historic importance associated with the site. The applicant has agreed to the imposition of this condition. Poulton Historic Society support the development and support the conditions requested by the Conservation Officer and LCC Archaeology.

Impact upon Residential and Neighbouring Amenity (Noise, Odour and Lighting)

9.10 Within the immediate surrounding area there are a number of buildings which back onto, surround and overlook the development site. The majority of the neighbouring properties are occupied on a commercial basis with the exception of numbers 4a and 3 Chapel Street Court which are first floor residential apartments and also there are some residential units which back onto and make up the southern boundary of the site, namely 7a, b and c Queens Square. To the north when viewed from the existing carpark the properties 6-8 Chapel Street Court immediately about the northern boundary with a large panelled balcony at first floor level dominating the rear elevations. All of these premises including the balcony are occupied commercially and operate during the day and night at various times. The proposed rear extension will not result in an overbearing impact or result in overlooking or overshadowing of these units. To the east is an existing open carpark. Within the site and making up the southern boundary is the rear elevation of the townhouses (7a, b and c Queens Square) which have blank elevations with no window openings. Whilst the extension will take up the entire rear car park and will wrap around and abut the existing buildings it is not considered there will be any adverse or detrimental impacts arising from overlooking, loss of privacy or overshadowing from the proposed structure.

9.11 The application stipulates that the hours of opening will be from 09:00hrs - 23:00hrs Monday to Sunday. In terms of the practice and activities associated with the change of use the main factors which have potential to result in harm on the surrounding properties relates to the environmental impacts arising from odour, noise and light pollution.

Noise Considerations

9.12 A detailed noise assessment has been submitted in support of the planning application. The report examines the existing environmental noise conditions at the site and advises on suitable internal noise limits to ensure protection of nearby noise sensitive dwellings in accordance with measured background noise levels. The report concludes that the predicted noise levels due to internal ambient noise from the food hall is below the measured background noise level taking account of the proposed

façade, glazing and ventilation strategy. Within Section 7 of the report it proposes a number of mitigation measures including (on page 15) the specifications for the glazing areas and that no ventilation shall be applied to these windows, and that the proposed insulated panels should be fully installed. The Noise Assessment has been considered by the Council's Environmental Health Officer who has advised that subject to the mitigation measures being conditioned to be implemented prior to first use/occupation, then the proposed development would not have a negative impact upon surrounding residential properties.

Odour Impacts

9.13 The submitted plans identify the location for required extraction units and ducting to accommodate the ventilation and plant required for the kitchen/food hall. The Council's Environmental Health Officer has assessed the potential impacts upon nearby properties arising from odour in conjunction with the submitted Odour Assessment. The Odour Assessment has been carried out on the assumption of a worst case scenario and as such has identified that odour from the proposed development will need a high level of odour control. The report sets out in Sections 8 and 9 the minimum performance requirements and the recommendations for any wall mounted kitchen canopy, ductwork, fans, odour control and maintenance. Like with the impacts arising from Noise the Environmental Health Officer has advised that there are no objections to either the siting or location of the plant or the details and information submitted subject to the mitigation measures identified being conditioned to be implemented.

Lighting

9.14 Within the submitted plans details as to the internal lighting system has been submitted. The proposal includes drum style fittings which prevent upward light at first floor. The roof of the rear extension has been designed as to prevent overspill of light by limiting the amount of glazing. The Environmental Health Officer has verbally advised that the proposal is unlikely to result in any adverse impacts as a result of light pollution.

Air Quality

9.15 The application site lies close to the boundary (Chapel Street) of the Poulton Air Quality Management Area (AQMA). The applicant has submitted documentation to demonstrate that an Air Quality Assessment is not required in this instance due to the minimal change in vehicular movements from that which existed when the site was an operational police station. The Council's Environmental Health Officer is satisfied with the justification submitted by the applicant.

9.16 Subject to conditions requiring the proposed development to comply with the mitigation measures set out in both the Noise and Odour Assessments along with the opening hours being restricted to that set out in the application it is not anticipated that the proposed development would have any significant adverse or detrimental impacts upon the amenity of neighbouring properties and as such would comply with the provisions of Policy CDMP1 of the Wyre Local Plan.

Highway and Transport Impacts

9.17 The application site lies in a highly sustainable location within a pedestrianised area of the town centre where there is readily available access to public transport including the bus stops outside the Teanlowe Centre on Blackpool

Old Road to the west and the train station on Breck Road towards the north. Furthermore within walking distance there are a number of public car parks including the Teanlowe Car Park (306 Spaces), Hardhorn Road Car Park (117 Spaces) and the Bull Public House Car Park (42 spaces). Market Place currently has prohibited access (Traffic Regulation Order) and driving in place from Monday to Saturday with the only exception being for goods vehicles loading/unloading between the hours of 16:00 - 10:00hrs and disabled badge holders with written permission. Lancashire County Highways have reviewed the application and the supporting Transport Statement and have advised that there are no objections regarding the proposed change of use and are of the opinion that the proposed development will not have a significant impact upon highway safety, capacity or amenity in the immediate vicinity of the site.

9.18 In terms of deliveries LCC Highways requested further information as to how this would be managed as there was a concern that a mixed use of retail and food of various cuisines could potentially result in a large number of deliveries to and from the site within the pedestrian area. The applicant has set out in the submitted Transport Statement that deliveries will be made between the hours of 07:00 - 10:00 and between 16:00 - 21:00hrs to avoid noise impact to the surrounding properties. Furthermore one large delivery of good will be provided to serve each of the stalls within the food hall which will see stall holders pre order goods from the management company and negate the need for individual stall holders being required to make unnecessary deliveries and reducing conflict with pedestrians within Market Place. Lancashire County Highways have also advised that there are no objections to the seating area within the adopted highway to the front of the building or the projecting canopies however an advice note is required to bring to the attention of the applicant the requirement to apply for the necessary licences under the Highways Act 1980 prior to first use. Following the submission of the additional information and subject to conditions to control the hours of deliveries and a construction management plan, officers are satisfied that the proposed change of use would not result in any adverse impacts upon highway or pedestrian safety and would comply with Policy CDMP6 of the Wyre Local Plan.

Flood Risk and Drainage

9.19 The site lies within Flood Zone 1 - the lowest possible risk of flooding from fluvial sources (rivers and sea). There are already existing buildings on site and the carpark comprises of hardstanding, as such the total roof and hardstanding areas will remain unchanged from that existing. The application has been submitted with a drainage strategy which sets out the SUDS Drainage Hierarchy. It has been assessed that due to the nature of the geology of the site infiltration back into the ground is not feasible and there are no local watercourses into which a discharge of surface water could be made. The proposal sets out that surface water runoff will remain unchanged and will discharge into the existing combined sewer within Market Place. The Council's Drainage Engineer has raised no objections to the proposed drainage strategy. It is not considered that the proposed change of use or the rear extension will result or increase flood risk elsewhere within the near vicinity.

Ecology

9.20 The application has been supported by a bat roost assessment, which was undertaken in September 2019. The buildings were subject to a visual daytime inspection in October 2019 to search for bats, evidence of bats and to assess the potential of the buildings to support bats. No bats or evidence of bats was found in the building during the daytime inspection and they were assessed as having

negligible potential to support roosting bats. The urban nature of the location which has extensive street lighting is also considered to reduce the likelihood of bats being present. GMEU have advised that an informative should be attached so that the developer is aware of legal protection that certain species receive and that if any are found during the development then works should cease and an ecologist should be contacted.

Other Matters

9.21 Within the Design and Access Statement (Section 5) there are a number of illustrative visions of how Market Place may appear on market day, with street stalls and the proposed development having its front canopies open along with the proposed street furniture. For clarification this application is not proposing any external street stalls. The applicant has confirmed that the purpose of this illustration is to demonstrate how Market Place may look on a market day and how the proposal could contribute to the character of the area.

10.0 CONCLUSION

10.1 The application site is located within the heart of Poulton Town Centre and therefore a location which can be supported for a mixed use comprising of a food hall, retail and drinking establishment. The proposed use complies with the requirements of Policies EP4, EP5 and EP6 of the Local Plan which seek to steer new development and uses to the main town centres. Whilst the rear extension covers the whole carpark area it is not considered to result in any adverse or detrimental impact upon nearby premises or residential uses. The mitigation measures proposed for odour and noise can be reasonably secured by appropriately worded conditions. The development is located within Poulton-le-Fylde Conservation Area however for the reasons set out within this report the proposal will enhance and preserve the significance of this designated heritage asset and will not result in any adverse impacts upon the setting of the nearby Listed Buildings/structures. In turn the proposal would comply with Policy CDMP5 of the Wyre Local Plan. It is considered that the proposed re use of the building will provide a valuable contribution to the local economy whilst not resulting in any adverse environmental or historical impacts. In conclusion it is considered that the proposal can be recommended for approval subject to the conditions listed below.

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 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 08/01/2020 including the following plans/documents:

- Location Plan 1970/Ex00 Rev C
- Proposed Site Plan 1970/PL02 Rev C
- Proposed Floor Plans - Ground 1970/PL02 Rev B
- Proposed Floor Plans - First 1970/PL03/ Rev B
- Proposed Elevations / Sections 1 of 2 1970/PL04 Rev B
- Proposed Elevations / Sections 2 of 2 1970/PL05 Rev B
- Proposed Lighting - Ground floor 019.127.E1 Rev PL1
- Proposed Lighting - First Floor 019.127.E2 Rev PL1
- Proposed Mechanical Services - Ground Floor 019.127.M1 Rev P2
- Proposed Mechanical Services - First Floor 019.127.M2 Rev P2
- Proposed Mechanical Services - Roof 019.127.M3 Rev P2

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. No development above ground level shall be commenced until details of the materials and external finishes to be used in the construction of the external surfaces of the building (including the external walls, roof, and windows) have first been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved materials.

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

4. Prior to the commencement of development, including any demolition works, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include and specify the provision to be made for the following:

(a) dust and dirt mitigation measures during the demolition / construction period; complaint management and arrangements for liaison with the Council's Environmental Protection Team

(b) control of noise and vibration emanating from the site during the demolition / construction period; complaint management and arrangements for liaison with the Council's Environmental Protection Team

(c) hours and days of demolition / construction work for the development expected to be 8.00-18.00, Monday to Friday, 08.00-13.00 on Saturday with no working on Sunday and Bank / Public Holidays

(d) contractors' compounds and other storage arrangements

- (e) provision for all site operatives, visitors and construction loading, off-loading, parking and turning within the site during the demolition / construction period
- (f) arrangements during the demolition / construction period to minimise the deposit of mud and other similar debris on the adjacent highways (e.g. wheel washing facilities)
- (g) the routing of construction traffic and measures to ensure that drivers use these routes as far as is practicable
- (h) external lighting of the site during the demolition / construction period
- (i) erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- (j) recycling / disposing of waste resulting from demolition / construction work

The construction of the development including any demolition works shall be carried out in accordance with the approved CEMP.

Reason: Such details were not submitted with the application and need to be in place throughout the demolition / construction period in the interests of the amenities of surrounding residents, to maintain the operation and safety of the local highway network, to minimise the risk of pollution and to safeguard the character and appearance of the area in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

5. There shall be no deliveries or collections of goods to or from the use hereby permitted outside the hours of 07:00 - 10:00hrs and 16:00 - 21:00hrs on Monday to Sundays.

Reason: In the interests of the amenity of occupiers of neighbouring and nearby residential properties in accordance with the provisions of Policy CDMP1 of the Wyre Local Plan (2011-2031).

6. The premises shall not be open to customers or members of the public outside the hours of 09:00 - 23:00 hrs Monday to Sunday.

Reason: In the interests of the amenity of occupiers of neighbouring and nearby residential properties in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

7. No development, site clearance/preparation, or demolition shall commence until the applicant or their agent or successors in title has secured the implementation of a phased programme of archaeological work in accordance with a written scheme of investigation, which shall be submitted to, and approved in writing by, the local planning authority. These works shall be undertaken by an appropriately qualified and experienced professional archaeological contractor and comply with the standards and guidance set out by the Chartered Institute for Archaeologists (CIfA). The development shall be carried out in accordance with the agreed details.

The programme of work should include:

- a) An archaeological building recording of the former police station buildings

b) An archaeological watching brief on any engineering evaluation test pits excavated on the site

c) An appropriate archaeological response to the site based on the results of b) and the overall significance of the site in terms of its location within the medieval core of Poulton-le-Fylde

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site in accordance with Policy CDMP5 of the Wyre Local Plan (2011-31) and section 16 of the NPPF.

8. Prior to first use / first occupation of the development hereby approved, the noise mitigation measures set out in the supporting Noise Assessment (Red Acoustics R1189-REP01-JR - Section 7) submitted with the application shall be implemented. The approved noise mitigation measures shall thereafter be retained and maintained.

Reason: To ensure there is no adverse effect on the health and quality of life of future occupants and to avoid an unacceptable impact on residential amenity by virtue of noise in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

9. Prior to first use / first occupation of the development hereby approved, the odour mitigation measures set out in the supporting Odour Assessment (Miller Goodall report number 102234 - Section 8 and 9) submitted with the application shall be implemented. The approved odour mitigation measures shall thereafter be retained and maintained.

Reason: To ensure there is no adverse effect on the health and quality of life of future occupants and to avoid an unacceptable impact on residential amenity by virtue of odour in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

10. A watching brief shall be undertaken during the course of the development works. The watching brief shall be undertaken by a suitably qualified person, with any significant contamination discovered reported immediately to the Local Planning Authority. The findings of the watching brief shall be reported in writing and submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development.

Reason: In order to safeguard human health and the environment against potential contamination and in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

11. No development shall take place until proposals for the recommended site investigation or pre-emptive remediation as set out in the 'Desk Study with Walkover Survey at Former Police Station, Market Place, Poulton-Le-Fylde November 2019' have been submitted to and approved in writing by the local planning authority. Should any unacceptable risks be found, details of a remedial scheme and verification plan shall be submitted to and approved in writing by the local planning authority. The remedial scheme shall be implemented as approved before development begins. If, during the course of development, any contamination is found which has not previously been identified, additional measures to address it shall be submitted to and approved in writing by the local planning authority and the additional measures shall be carried out as approved.

Reason: The development is for a sensitive end use and insufficient information has been submitted with the application as to the potential contamination risks of the site. The potential for contamination must therefore be addressed in order to safeguard the development in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

12. Notwithstanding the details indicated on the approved plans and supporting documents, the following details shall be submitted to, and approved in writing by, the Local Planning Authority prior to their installation / presentation to the highway:

- Full details including external finishes of the proposed canopies/awnings and housing boxes (including details of fixtures and fittings); and
- Full details including external finishes of street furniture including tables, chairs and any partition screens

The development shall be carried out in accordance with the approved details. Only the approved details shall be subsequently used in the event of any repair or replacement.

Reason: In the interest of visual amenity of the area, and the appearance and character of the building in accordance with Policies CDMP3 and CDMP5 of the Wyre Local Plan (2011-31).

13. The premises shall be used for the purposes identified on the approved floor plans (Drawing Numbers 1970/PL02 Rev B & 1970/PL03 Rev B), namely for A3 café and restaurant use as well as A1 retail use in the ground floor retail unit indicated at the front of the food hall and D1 leisure and assembly use in the ground floor police cell being retained as a leisure attraction, and for no other purpose.

Reason: To ensure that the mix of uses makes a positive contribution to the vitality and viability of the Primary Shopping Area of Poulton-le-Fylde town centre and in the interests of neighbouring residential amenity in accordance with Policies EP6 and CDMP1 of the Wyre Local Plan (2011-2031)

Notes: -

1. It is an offence to disturb, harm or kill any species specifically protected under the Wildlife and Countryside Act 1981. In the event of any such species being unexpectedly encountered before and during site clearance or development work, then work shall stop immediately until specialist advice has been sought from a suitably qualified Ecologist regarding the need for additional survey(s), a license from Natural England and/or the implementation of necessary mitigation measures.

2. Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the expressed approval of the County Highway Authority. The applicant is requested to apply for a s178 licence, and any other license which may be deemed necessary by the local highway authority, before the seating area and awning is fitted and first used. The applicant is requested to email highways@lancashire.gov.uk.

3. This permission does not relate to the display of any advertisements which may require consent under the Town and Country Planning (Control of Advertisements) Regulations 1989.

