

Planning Statement in relation to planning application ref. 3/2022//0795.

Planning Application: Variation of condition 4 of planning permission 3/2019/1131 to a mixed-use premises

The application seeks to vary condition for of planning application 3/2019/1131. The current condition states:

*Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended or re-enacted) and the Town and Country Planning (General Permitted development) (England) Order 2015 (as amended or re-enacted) and the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2016 (as amended or re-enacted) 1 Lower Lane shall only be used for the purposes of A1 (retail) and A2 (interior Design Services) and no other use within those use classes.*

It is intended to alter the planning condition to:

*1 Lower Lane shall only be used for the purposes of Class E and Drinking Establishment (Sui Generis) uses.*

The inclusion of Class E reflects the Use Class Order changes within the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020. The property will continue to undertake both retail and interior design services, as catered for under the new Class E. Additionally, having attained a licence, customers are also able to sit and enjoy an alcoholic drink at the premises. The variation of the condition seeks to allow this to take place lawfully, so no breach of Condition 4 occurs. It is understood that the opening hours will stay as per Condition 5 of planning application ref. 3/2019/1131.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for the site comprises of the Ribble Valley Borough Council Core Strategy 2008 – 2028 (2014). In this instance the key policies are Key Statement EC2 and Planning Policy DMG1.

The variation of condition will allow some greater flexibility in how the unit operates. It is not intended to be a destination drinking establishment in its own right but operate alongside the existing Class E use at the site. In this regard, the amenity impact, along with impacts on the surrounding infrastructure are thought to be negligible and not perceptible. The inclusion of the additional use at the site will not alter how the unit materially operates. In this regard, any impacts from the proposed development are thought to be acceptable as per Policy DMG1, and the approval of the variation would enhance the vibrancy, consumer choice and vitality of Longridge as sought by Key Statement EC2. Overall, the proposal can be found acceptable in planning terms.