



Planning Statement. (July 2023)

RE: Town and Country Planning Act 1990.
66 Whalley Road, Clitheroe, BB7 1EE.



Existing Front Elevation.



Existing Rear Elevation.

Change of use of vacant ground floor self-contained apartment to a Hot Food Takeaway (sui generis), Installation of an extraction flue to rear, and Installation of a New Shop Front.

INTRODUCTION

- 1.1 This Planning Statement has been prepared by Khalid Khan Associates on behalf of the Applicant Mr Andy Kirkham in support of a full planning application to change the use of a self-contained ground floor apartment to a hot food takeaway, a new extraction flue system to rear with an installation of a new shop front.
- 1.2 This Statement describes the application site, the proposed development and assesses its merits against the relevant up-to-date policies of the development plan, the National Planning Policy Framework and all other relevant material considerations.
- 1.3 It demonstrates that the proposed development is in accordance with the relevant policies of the adopted Ribble Valley Core Strategy (2014) and also accords with Government policy and guidance as detailed within the National Planning Policy Framework (2021).

- 1.4 The Statement should be read in conjunction with the accompanying information:

Ordnance Survey Location Plan 1: 1250

Existing site plan Existing and proposed plans and elevations and details of extraction equipment _

040/07/23/66/@A1

Existing Block Plan 1:500.

2.0 **THE APPLICATION SITE AND SURROUNDING AREA**

- 2.1 The application site comprises a mid-terrace three storey property on the north side of Whalley Road Clitheroe. The ground floor and first/second floor currently comprise of self contained apartments which are currently vacant.
- 2.2 Access to the flat at ground floor is at the front fronting Whalley Road, with the first floor flat being accessed from the rear back street. There is no off-street parking associated with the property. There are no parking restrictions on the road immediately fronting the property.
- 2.3 Whalley Road is one of the main traffic routes into the town centre. The two blocks of terrace properties including number 48 to 74 Whalley Road are predominantly commercial properties possibly with flats above. There are four hot food takeaways. No.74 Whalley Road Chippy, No.72 Taste of India, No.50 King of Kebabs, No.48 Vesuvio Italian.
- 2.4 The adjacent property to the right hand side at: no 64 comprises of a Bakery with ancillary residential accommodation by the owner of the premises. The property on the left hand side of the application site at no@ 68 comprises of a dog groomers, with residential accommodation at first floor which I understand is accessed from the rear back street.
- 2.5 The site is within the settlement boundary of Clitheroe and outside the conservation area boundary as defined in the Housing and Economic Development, Development Plan Document Proposals Map. The building is not a listed building are there are no listed buildings nearby.

3.0 **THE PROPOSED DEVELOPMENT**

- 3.1 The proposal is to change the use of the currently vacant ground floor self-contained apartment into a hot food takeaway, with retail sales, a kitchen and prep area, the existing bathroom will be removed and scaled down to only provide a wc and sink for the staff.

Currently the first floor apartment is vacant but will be occupied by the Applicant and his partner.

As the premises had to meet the necessary fire and sound regulations all works relating to sound and fire protection have already been carried out in compliance with the necessary regulations and to the approval of the Building Control Department.

4.0 DEVELOPMENT PLAN POLICY

4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 refers to the development plan as a whole and requires planning applications to be determined in accordance with the plan unless material considerations indicate otherwise. In this case the relevant parts of the development plan comprise the Ribble Valley Core Strategy (2014) and the National Planning Policy Framework (2021).

4.2 The following policies of the Ribble Valley Core Strategy ('the Core Strategy') are relevant to the determination of this application:

Key Statement DSI : Development Strategy

Key Statement DS2: Sustainable Development

Key Statement EC2: Development of Retail, Shops and Community Facilities and Services

Policy DMGI: General Considerations

Policy DMG2: Strategic Considerations

Policy DMBI : Supporting Business Growth and the Local Economy

4.3 The National Planning Policy Framework (2021) ('the Framework') sets out the Government's planning policies for England and how they should be applied. It requires local planning authorities to apply a presumption in favour of sustainable development which means, as paragraph 11c explains, that development which accords with an up-to-date development plan should be approved without delay.

4.4 In determining planning applications, paragraph 38 of the Framework expects local planning authorities to approach decisions in a positive and creative way. They should work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

4.5 Section 6 Building a strong, competitive economy of the Framework states "Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and the wider opportunities for development".

5 PLANNING POLICY AND EVALUATION

Principle of the development

- 5.1 The application site is currently a residential self-contained apartment which falls within Class C3 of the Town and County Planning Use Classes Order 1987 as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020.

Key Statement EC2: Development of premises such as the application site on a busy commercial road, and community facilities and services states "Development that supports and enhances the vibrancy, consumer choice and vitality and unique character of the area's important retail and service centres of Clitheroe, Longridge and Whalley will be supported in principle." The diversification of the current premises use into offering hot food builds on the current retail offer of the property and expands consumer choice as encouraged by Key Statement EC2. The property is within an area of Clitheroe where there are several hot food retailers nearby as listed above and towards the town centre with a further cluster of hot food premises within the three storey terraced properties along Whalley Road north of Greenacre Street. The location of the proposed shop/hot food takeaway is in principle acceptable.

- 5.2 The main issues to consider are the impact on neighbouring residents, its visual appearance and the impact on highway safety.

Residential amenity.

- 5.3 The longer opening hours associated with the evening opening for sales of hot food have the potential to increase activity around the site which might increase noise levels. Consideration needs to be given to whether the level of noise associated with the longer opening hours would adversely affect the residential amenities of neighbouring residential properties.
- 5.4 Whalley Road is one of the main traffic routes into the town centre of Clitheroe. There are several long-established hot food outlets close to the site. The introduction of one additional hot food outlet is unlikely to significantly increase the general level of noise and activity already experienced from passing traffic, customers calling at existing hot food outlets by car or on foot.
- 5.5 The opening hours of the nearby hot food outlets are:
 Whalley Road Chippy 11.30 am -8pm Monday to Saturday
 Tase of India 5pm -11 pm Monday to Saturday 4pm -10.30pm Sunday
 King of Kebabs Mon, Weds, Thursday 4pm — 11 pm, Fri, Sat, Sunday 4pm-11.55pm
 Vesuvio Weds, Thursday 4pm -11.45pm, Fri, Sat 4pm — 12.45am Sun 4pm-9.45 pm.

The proposed hot food closing times are similar to as stated, and in consideration to avoid any noise disturbance to nearby residents the proposed opening and closing times are

Customers will be encouraged to pre-order food through a website which books a time slot for collection. Walk in customers will also be accepted.

11:00am - 22:00hrs, Monday to Saturday and 11:00am – 20:00hrs Sunday.

- 5.6 A new extraction system is proposed which is positioned on the rear elevation. The extraction system has been designed to avoid additional noise beyond the boundary of the site and effectively remove cooking odours. The flat above the proposed shop takeaway is in the same ownership as the shop and is currently vacant but will be occupied by the Applicant and his partner See photographs 1 and 2 for the rear elevation of 62-66 Whalley Road.

New Shop Front:

It is proposed to remove the existing central door and 2no windows either side and replace it with a new shop front which will replicate the existing frontage at 68 Whalley Road, and will consist of a upvc frame finished in Ral Grey, glazing will consist of 3no panes with 3no openers above, to allow additional ventilation to the shop area.

Visual amenity

- 5.7 The proposed extraction system is at the rear of the property. The rear elevation of 66 Whalley Road is not particularly prominent when seen from public viewpoints in the surrounding area. There is similar extraction equipment nearby to the rear of 48 Whalley Road (see photograph 3) and at the rear of the block 10-28 Whalley Road.



Rear Elevations (66 Whalley Road).



Extraction equipment at the rear of 48 and 50 Whalley Road

Highways and Parking

- 5.8 The application site is in a highly sustainable location close to public transport and in walking distance of numerous residential properties. It is feasible that not all customers will access the site by car. There are no parking restrictions outside the site.

No objections were received from the highway authority in relation to the application for the change of use of 48 Whalley Road to a hot food takeaway in 2014. The proposal is compliant with the requirements of policy DMGI:

General consideration in relation to access and parking.

6 CONCLUSION

- 6.1 This Planning Statement has been prepared to accompany an application for full planning permission to change of use of a ground floor self-contained apartment to a Hot Food Takeaway

(sui generis), installation of an extraction flue to rear, and installation of a new shop front at 66 Whalley Road, Clitheroe BB7 IEE.

6.2 It demonstrates that the principle of development is wholly compliant with the provisions of the National Planning Policy Framework and the adopted Ribble Valley Core Strategy with regard to the type and nature of the proposed use. The diversification of the current shop use into offering hot food builds on the current retail offer of the property and expands consumer choice as encouraged by Key Statement EC2. We have demonstrated the location of the proposed shop/hot food takeaway is in principle acceptable.

6.3 The proposal will not lead to any loss of residential amenity due to the fact that the later opening hours and evening activities will occur when there is already relatively high levels of traffic and activity in the area.

The amenity of neighbours is also protected by the provision of an extraction system with adequate noise attenuation and odour control, with all works to be carried out to the complete satisfaction of the Environmental Health Department.

6.4 There are, no environmental or technical matters identified which would weigh against the development. The proposal fully accords with the policies of the Core Strategy. In light of all the issues detailed within this Statement, the presumption in favour of sustainable development should be applied and the application supported.