

DMD Design 1 Lower Lane Longridge PR3 3SL

Application to regularise mixed building use permitting retail, bar serving alcohol and occupational dwelling (Sui Generis).

**PLANNING STATEMENT
INC. HERITAGE STATEMENT**
SEPTEMBER 2023



REPORT CONTROL

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/1 INTRODUCTION

- 1.1. PWA Planning is retained by DMD Design ('the Applicant') to prepare a Planning Statement to accompany a change of use planning application to regularise the mixed building uses of retail sale of goods, bar serving alcoholic, and an occupational dwelling ('the proposed development') at DMD Design, 1 Lower Lane, Longridge, PR3 3SL ('the application site'). The application is made to Ribble Valley Council ('the Local Planning Authority') (LPA) and relates to the red edge application site boundary defined by the submitted Location Plan.
- 1.2. Following a review of the site context and history, this Planning Statement will demonstrate that the proposals accord with the Development Plan for Ribble Valley, and moreover, there are other material considerations which indicate that permission ought to be granted.



/2 SITE DESCRIPTION

- 2.1 The application site is a detached one-storey building incorporating a mezzanine-floor. The building's uses comprise of a shop for the sale of goods in relation to an interior design business, a bar integrated into the shop floor selling alcoholic and non-alcoholic beverages, and an occupational living accommodation on the mezzanine-floor, which is used by the owner of the business who works in the shop. There is no formal off-street parking for the premises at present. The retail sale of goods and living accommodation uses were granted planning permission 2019 (Ref. 3/2019/1131).



Figure 1: Photograph of application building (Source – Google)



Figure 2: Photograph of building interior, showing goods for sale



- 2.2 A location plan showing the site within its wider setting is provided within the supporting documents. Figure 1 below provides an aerial image of the site within its immediate setting.



Figure 3: Aerial image showing the location of the site (Source – Google Maps) (not to scale)

- 2.3 The application site is located on the B6243 Lower Lane at the outskirts of the town of Longridge. Longridge town is essentially a rural enclave with the core of the local amenities located on and around Berry Lane, located approximately 800m to the north of the application site.
- 2.4 Surrounding land use in the vicinity of the site is of a semi built-up nature and comprises dwellings to the east, which includes a row of dwellings located on the opposite of road from the site (south-east); St Lawrence's Church and associated grounds to the south; and buildings in a mixture of commercial and residential uses to the west, including a funeral directors, as well as two buildings in business use relating to financial services; and to the north of the site are buildings associated with the funeral directors. Building No. 30-34 Chapel Hill was formerly in use as a public house and has since been converted into dwellings.



/3 PLANNING HISTORY

- 3.1 A planning search has been undertaken of Ribble Valley Council's online application search facility and the following applications were identified at the application site, which have been detailed below for reference.
- 3.2 Notably, the building has planning permission to be used for the existing retail business, and for the associated occupational living accommodation used by the business owner/operator. This proposal seeks permission to expand on the current permitted uses.
- 3.3 A list of the relevant past applications is set out below:
- **3/2019/1131** – Change of use of retail premises to live/work unit with residential facility for one person: Approved with conditions 7th February 2020
 - **3/2005/0343** – Static, internally illuminated shop signs (Advertisement Consent): Approved with conditions 25th May 2005
 - **3/2004/0247** – Proposed art gallery: Approved with conditions 30th April 2004



/4 PROPOSED DEVELOPMENT

- 4.1 Since opening for business in Summer 2020, this small independent shop has been selling interior design products. From Spring 2021, the displays were accompanied by a small bar on the shopfloor which sells alcoholic and non-alcoholic beverages for (mostly) consumption on the premises. The building is therefore in mixed-use.
- 4.2 In accordance with the Licensing Act 2023, Ribble Valley Borough Council granted a Premises License which allows the sale and consumption of alcohol on the premises. The licensing application process considered the suitability of the building for the sale of alcohol and it was subject to a consultation process before being granted. The applicant is not aware of any formal complaints to the licensing authority regarding activities relating to the license. The applicant has extensive experience of managing premises where the sale of alcohol is permitted.
- 4.3 The business at the application site is based on the dual or complimentary uses of product sales and sales of beverages from the integrated bar. Some customers visit the shop to solely purchase items associated with the interior design business, whilst others visit to purchase a drink at the bar, whilst often meeting and interacting with other members of the community. Customer visits can also be a hybrid of browsing/purchasing items and visiting the bar. This application seeks permission to regularise the bar element of the business.
- 4.4 The proposed mix of building uses comprises:
- a) Retail sale of goods (Class E)
 - b) Occupational dwelling (Class C1)
 - c) Sales of drinks, including alcohol (Sui Generis)
- 4.5 The uses a) and b), as listed above, already have planning permission by virtue of planning approval reference 3/2019/1131. They are included in this application for completeness.
- 4.6 The proposal does not seek to establish a typical “drinking establishment” and instead is seeking permission to regularise the current business operations at the premises, which includes an existing bar. The bar is very much integrated into the shop floor where the interior design items are displayed and sold. The bar is only open when the shop is open,



since they share the same entrance and premises. It should also be noted that the bar also serves as an informal meeting place for members of the local community, providing social benefits for the people that live nearby. The existing use of the mezzanine-floor as living accommodation for the business owner would not change under this proposal.



Figure 4: Photograph of bar integrated into shop floor, surrounding by items for sale



/5 TECHNICAL CONSIDERATIONS

- 5.1. This section of the planning statement looks to address relevant technical considerations which are associated with the proposal.

Amenity

- 5.2. The bar occasionally provides entertainment, usually in the form of one vocalist with an acoustic instrument. It is not believed that entertainment of this type has, or ever would, give rise to noise disturbance that would affect the amenity of residents living in the surrounding dwellings. This is with consideration to the fact that noise from entertainment is generated from inside the building, with its double-glazed windows; with consideration to external background noise, including the presence of a road; and with consideration to the separation distance between the noise source and the nearest sensitive receptors. Entertainment would continue to be operated in accordance with the terms of Premises Licence.
- 5.3. It is also relevant that the building does not feature any windows that can be opened, and the front door – the access point for customers – is always closed, except when customers enter or exit the building. These are additional factors that have mitigated any potential noise disturbances from occurring.
- 5.4. The application does not seek an extension of hours, or any changes to Condition 5 of approval Ref. 3/2019/1131, which can be applied to the permission here being sought. The Condition states:

"The use of the premises in accordance with this permission shall be restricted to the hours between the hours of 08:00hrs to 20:00hrs Monday to Saturday (inclusive) and 08:00hrs to 17:00hrs Sunday and Bank Holidays"

- 5.5. The granted Premises Licence that permits the sale of alcohol on the premises is in accordance with planning condition 5, in that alcohol cannot be sold after 20:00hrs, or after 17:00hrs on a Sunday. The actual premise opening hours are considerably less than the permitted hours: Mon/Tues – closed, Wed-Sat – 12-20:00hrs, Sun – 12-17:00hrs.



Transport

- 5.6. The addition of the bar to the extant permission has not resulted in the introduction of any impact that was not already addressed as part of the previous application. The number of customers has remained within acceptable limits, and it is understood that the majority of customers that use the bar are members of the community that live locally, and that they usually walk to the premises. In approving the use of the building as a shop, it would have been deemed by the local authority that there is adequate off-street parking and that the operations would not impact the highway network. That has proven to be the case, even with the addition of the bar, and that situation would not change.



/6 PLANNING POLICY CONTEXT

- 6.1. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that where in making any determination under the Planning Acts, regard is to be had to the Development Plan. The determination shall be made in accordance with the plan unless material considerations indicate otherwise.

Development Plan

- 6.2. The Development Plan for the application site comprises the Ribble Valley Core Strategy 2008 to 2028. Key policy documents that comprise 'material considerations' include the National Planning Policy Framework (2021), National Planning Policy Guidance (NPPG), and any local supplementary planning guidance documents and decisions considered relevant to the proposal.
- 6.3. The following policies are considered relevant to this proposal:

Ribble Valley Core Strategy

Setting a Vision for the Area

"An area with an exceptional environment and quality of life for all, sustained by vital and vibrant market towns and villages acting as thriving service centres, meeting the needs of residents, businesses and visitors" (Section 3, p31)

Key Statement DS2: Presumption in Favour of Sustainable Development

"When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area."

Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise..."



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

"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. Proposals that have an adverse impact on existing community facilities would only be permitted as an exception where the proposed development would bring defined and demonstrable benefits..."

Key Statement DMB1: Supporting Business Growth and the Local Economy

"Proposals that are intended to support business growth and the local economy will be supported in principle. Development proposals will be determined in accord with the core strategy and detailed policies of the LDF as appropriate.... the expansion of existing firms within settlements will be permitted on land within or adjacent to their existing sites, provided no significant environmental problems are caused and the extension conforms to the other plan policies of the LDF"

Key Statement DMR2: Shopping in Longridge and Whalley

"Proposals for new small scale shopping developments including existing facilities will be approved on sites which are physically closely related to existing shopping facilities. all proposed shopping developments will be subject to other relevant policies in the plan and the borough council will have particular regard to the effect of the proposals on the character and amenities of the centre and the consequences in respect of vehicular movement and parking"



Other Material Considerations

National Planning Policy Framework (July 2021)

- 6.4. The NPPF sets out the Government's planning policies for England and how these should be applied. The Framework sets out the Government's presumption in favour of sustainable development (Paragraph 11) whereby developments which correctly balance the requirements of economic, social and environmental issues should be granted planning permission unless there are strong reasons that permission should not be granted.
- 6.5. Sustainable development is broadly defined in **Paragraph 8** of the Framework as having three overarching objectives: economic, social and environmental.
- 6.6. **Paragraph 11** of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development and that a presumption in favour of sustainable development is at the heart of the NPPF. For decision taking this means:
- c) "Approving development proposals that accord with an up-to-date development plan without delay; and*
 - d) Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
 - i. the application or policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."*
- 6.7. **Paragraph 20** states that strategic policies set out an overall strategy for the pattern, scale and quality of places, providing for the needs of all, which includes items such as housing, retail and community facilities.
- 6.8. **Paragraph 84** relates to a prosperous economy and states that planning decisions should enable the retention and development of accessible local services and community facilities, such as local shops, meeting places, and public houses.



- 6.9. **Paragraph 92** advises that decisions should achieve inclusive places which promote social interaction, including meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments.
- 6.10. **Paragraph 111** states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.



/7 PLANNING POLICY ASSESSMENT

Principle of Development

- 7.1. Planning permission is being sought for an additional and complementary use to an established retail business. The proposed dual uses have notable economic and social benefits that make it in the public interest for them to continue. As such, there is policy support in both the Development Plan and National Planning Policy Framework.
- 7.2. Since the proposal relates to an existing retail shop, and the bar is a complimentary element to this accepted use, the integrated bar is not an “intensive” recreational use forming a ‘main town centre use’, as defined in the NPPF. As such, the sequential approach to site selection, as detailed in Section 7 of the NPPF, is not applicable. The proposal would not impact the vitality of the town centre in anyway, and instead it would strengthen the vitality of its host shop as part of a mixed use.
- 7.3. Furthermore, even if this mixed used development was deemed to be a main town centre use, it is important to acknowledge that building already provides for retail use and the addition of the bar has not resulted in an increase in floor space. Consequently, the development has not resulted in an increase in impact on the town centre.

Economic Considerations

- 7.4. Key Statement EC2 of the Core Strategy promotes development which would support the vibrancy, consumer choice and vitality of Longridge’s retail offering. The application proposal is such a development that is providing greater choice for residents that live near to the shop, supporting the viability of the business. The dual retail/bar arrangement is thought to be a unique offering in Longridge, which has proven popular to a modest yet important regular customer base. The proposal has added vibrancy to the town and adheres to the objectives of EC2.
- 7.5. Similarly, Key Statement DBM1 supports business growth and the local economy, Key Statement DMR2 supports new small-scale retail, including at existing facilities. The income generated from the bar makes an important contribution to sustaining this local business, during a time when such small businesses are struggling. In turn, the success of the



business helps to support the local economy. The proposal therefore has support from DBM1 and DMR2.

- 3.1. In the same regard, the NPPF identifies economic considerations as being one of the three overarching objectives of sustainable development. Paragraph 84 states that planning decisions should enable the “retention and development” of local services and facilities, going on to specifically identify meeting places and public houses as such uses. And while the application proposal is only an informal meeting place and it is not a public house, the express support for such uses, as part of enabling a prosperous economy, is telling.

Social Considerations

- 7.6. In addition to supporting an established business and the local economy, the presence of the bar has allowed the shop to serve as an informal meeting place for members of the community. The mixed-use development has therefore improved social conditions in the area, in accordance with Key Statement DS; and in accordance with Core Strategy Vision to meet the needs of residents.
- 7.7. In the same regard, the NPPF identifies social considerations as being one of the three overarching objectives of sustainable development. Support from paragraph 92 is wholly applicable to this application which states that proposal should “*promote social interaction including meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments*”. This is exactly what occurs at the application site. The presence of the bar gives customers and members of the community a reason to stay in the shop and interact with other people.

Environmental Considerations

- 7.8. In line with Policy DMG1, no adverse impacts have been identified with regards to noise, air quality, light pollution, or other nuisances, as set out within this statement. In line with Policy DM12, no issues have been identified in relation to transport.



Heritage Statement

7.9. In accordance with the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990, the application site is located inside the St Lawrence's Church (Longridge) Conservation Area. Conservation areas are designated for their special architectural or historic interest, the character and appearance of which it is desirable to preserve or enhance. The application building is not on the National Heritage List for England, and neither are any of the buildings located in its setting.

7.10. While a standalone appraisal for the St Lawrence's Church Conservation Area could not be identified online, the Longridge Conservation Area Appraisal (published 2005) identifies the special interest of the area:

'Good example of a Lancashire industrial town

Former cotton mills and local stone quarries were important to the town's development in the 19th century

Tootle Heights quarries to north of Longridge supplied prestigious 19th century buildings in Preston, Liverpool and elsewhere

The conservation area is based on three main streets which all contain good quality 19th century stone building

Long terraces of mill workers' housing of the mid to late 19th century

Survival of Sharley Fold Farmhouse from the early 17th century

Listed late 18th century handloom workers cottages

Towneley Gardens and bowling green in the centre of the town

Location near to the Forest of Bowland'

7.11. In assessing the proposal, it is fundamental that it does not include any external alterations to the host building, therefore the character and appearance of the surrounding built environment would remain preserved. In approving application reference 3/2019/1131, it was deemed that changing the building use to retail with occupational dwelling would preserve the conservation area, and the addition of the integrated bar which this application seeks to regularise, has not changed that position.



- 7.12. This principle is supported by 'Policy DME4: Protecting Historic Assets' which advises that proposals which conserve conservation areas, with consideration to their location, scale, size, design and materials, will be supported. The application proposal solely relates to the internal use of the application building and does not give rise to such considerations, which are primarily relevant to external works that can affect the appearance of the area. The proposal is compliant with Policy DME4, and it would ensure that the Conservation Area continues to be preserved.



/8 CONCLUSIONS

- 8.1. PWA Planning is retained by DMD Design to prepare a Planning Statement to accompany a change of use planning application to regularise the mixed building uses of retail sale of goods, bar selling alcoholic and non-alcoholic beverages, and an occupational dwelling at DMD Design, 1 Lower Lane, Longridge, PR3 3SL.
- 8.2. The proposed development would help to sustain an established independent retail business and contribute to the vitality of the local economy. Additionally, it would enable the continued mixed-use of the building, promoting positive social interaction between members of the community.
- 8.3. The proposal is in accordance with policies in the development plan and the scheme is considered to constitute sustainable development. There is support from the National Planning Policy Framework which also weighs heavily in favour of the proposal. There is no identified harm as a result of the proposals that would outweigh the advantages of the scheme, which include notable social and economic benefits.
- 8.4. In considering the planning balance, the proposed development is considered acceptable and should be approved without delay.



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