|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Report to be read in conjunction with the Decision Notice.** | | | | | | | | | | | | | | |
| **Signed:** | **Officer:** | BT | | | | **Date:** | | 19/12/23 | | **Manager:** | | **LH** | **Date:** | **21/12/23** |
|  | | | | | | | | | | | | | | |
| **Application Ref:** | | | | 3/2023/0188 | | | | | | |  | | | |
| **Date Inspected:** | | | | 17/8/23 | | | **Site Notice:** | | 17/8/23 | |
| **Officer:** | | | | BT | | | | | | |
| **DELEGATED ITEM FILE REPORT:** | | | | | | | | | | | **APPROVAL** | | | |
|  | | | | | | | | | | | | | | |
| **Development Description:** | | | | | Proposed two storey side extension, single storey extension to side rear. Alterations to existing fenestration and change of use from Sui Generis (Drinking Establishment) to Class E (Commercial, Business and Service). | | | | | | | | | |
| **Site Address/Location:** | | | | | Royal Oak Inn, Waterloo Road, Clitheroe, BB7 1NS. | | | | | | | | | |
|  | | | | | | | | | | | | | | |
| **CONSULTATIONS:** | | | | | **Parish/Town Council** | | | | | | | | | |
| **Clitheroe Town Council:** | | | | | Consulted 26/5/23 – no response. | | | | | | | | | |
|  | | | | | | | | | | | | | | |
| **CONSULTATIONS:** | | | | | **Highways/Water Authority/Other Bodies** | | | | | | | | | |
| **LCC Highways:** | | | | | No objections subject to conditions. | | | | | | | | | |
|  | | | | | | | | | | | | | | |
| **Lead Local Flood Authority:** | | | | | No comments to offer. | | | | | | | | | |
|  | | | | | | | | | | | | | | |
| **Environment Agency:** | | | | | Consulted 26/5/23 – no response. | | | | | | | | | |
|  | | | | | | | | | | | | | | |
| **United Utilities:** | | | | | Consulted 26/5/23 – no response. | | | | | | | | | |
|  | | | | | | | | | | | | | | |
| **CONSULTATIONS:** | | | | | **Additional Representations.** | | | | | | | | | |
| None. | | | | | | | | | | | | | | |
|  | | | | | | | | | | | | | | |
| **RELEVANT POLICIES AND SITE PLANNING HISTORY:** | | | | | | | | | | | | | | |
| **Ribble Valley Core Strategy:**  Key Statement DS1: Development strategy  Key Statement DS2: Presumption Favour Of Sustainable Development  Key Statement EN5: Heritage Assets  Key Statement EC1: Business And Employment Development  Key Statement EC2: Development Of Retail, Shops And Community Facilities And Services  Key Statement DMI2: Transport Considerations  Policy DMG1: General Considerations  Policy DMG2: Strategic Considerations  Policy DMG3: Transport And Mobility  Policy DME3: Site And Species Protection And Conservation  Policy DME4: Protecting Heritage Assets  Policy DME6: Water Management  Policy DMB1: Supporting Business Growth And The Local Economy  Policy DMR1: Retail Development In Clitheroe  National Planning Policy Framework (NPPF) Paragraph 86, 87 & 91 | | | | | | | | | | | | | | |
| **Relevant Planning History:**  **3/2007/1138:**  Timber framed lean-to with pitched slate roof to replace existing timber and polycarbonate structure (Approved) | | | | | | | | | | | | | | |
|  | | | | | | | | | | | | | | |
| **ASSESSMENT OF PROPOSED DEVELOPMENT:** | | | | | | | | | | | | | | |
| **Site Description and Surrounding Area:**  The application relates to a commercial premises in Clitheroe which was last in use as a public house. The application premises comprises rendered elevations with stone quoins and a split level slated hipped roof with mullioned windows punctuating the ground floor level of the premises. The premises has been previously extended by way of mono pitched and flat roof canopies on its North-western side elevation. The application premises occupies a corner plot location within a built up area on the junction between Salthill Road and Waterloo Road on the edge of Clitheroe town centre. The surrounding area comprises a mixture of commercial and residential properties. | | | | | | | | | | | | | | |
| **Proposed Development for which consent is sought:**  Planning consent is sought for a change of use of the application property from a public house (Use Class Sui Generis) to an office building (Use Class E (g) (i)).  Additional works proposed are as follows:   * Removal of existing mono pitched roof canopy extension and construction of two storey hipped roof side extension to North-western side elevation of premises * Removal of existing flat roof canopy extension and construction of single storey flat roof infill extension to North-western side elevation of premises * Addition of new doorway opening to North-western elevation of premises * Conversion of existing ground floor window to doorway, addition of first floor window and removal of projecting mono pitched plant room on front South-western elevation of premises * Infilling of existing doorway with window opening in South-eastern side elevation of premises | | | | | | | | | | | | | | |
| **Principle of Development:**  Policy DMB1 of the Ribble Valley Core Strategy seeks to support business growth and the local economy in principle on the basis of the development in question being compatible with the other Development Management Policies of the Core Strategy, with the relevant policies in this instance being Key Statements DS1, EC1, DMI2 and Policies DMG1, DMG2 and DMG3.  Key Statement DS1 of the Core Strategy seeks to primarily direct commercial development towards the Borough’s principal settlements of Clitheroe, Longridge and Whalley.  In a similar vein, Key Statement EC1 of the Ribble Valley Core Strategy states:  *‘Employment development will be directed towards the main settlements of Clitheroe, Whalley and Longridge as the preferred locations to accommodate employment growth.’*  Policy DMG2 of the Core Strategy offers some expansion on the above:  *‘Development proposals in the principal settlements of Clitheroe, Longridge and Whalley and the tier 1 villages should consolidate, expand or round-off development so that it is closely related to the main built up areas, ensuring this is appropriate to the scale of, and in keeping with, the existing settlement.’*  Policy DMG1 provides general guidance with respect to the impact of proposals for development upon existing amenities with a stipulation that all development must be sympathetic to existing and proposed land uses in terms of its size, intensity and nature.  With respect to transport, Key Statement DMI2 states:  *‘New development should be located to minimise the need to travel. Also it should incorporate good access by foot and cycle and have convenient links to public transport to reduce the need for travel by private car. In general, schemes offering opportunities for more sustainable means of transport and sustainable travel improvements will be supported.’*  In addition, Policy DMG3 attaches considerable weight towards the availability and adequacy of public transport and associated infrastructure to serve those moving to and from the development.  In this instance, the application’s supporting information states that the proposed change of use of the application property would provide a new premises for the applicant’s growing business. The application site lies within the defined settlement area of Clitheroe and would involve modestly sized extensions to an existing building. The application property is sited within close proximity to residential receptors however numerous commercial properties lie within the immediate vicinity of the proposal site therefore it is not anticipated that use of the application property as an office building would generate noise levels or disturbances above or beyond those associated with the previous use of the building. As such, the introduction of an additional commercial use within the defined settlement of Clitheroe is considered to be generally compatible with the mixed use character of the existing area. Furthermore, the proposal site lies within close proximity to Clitheroe town centre and numerous public transport links and is therefore considered to be situated in a sustainable location. Consequently, the proposed development would satisfy the requirements of Key Statements DS1, EC1 and DMI2 and Policies DMG1, DMG2, DMG3 and DMB1 of the Core Strategy.  The proposed development relates to the change of use of the application property to an office building which falls within use class E (g) (i) which is defined in the Use Classes Order as ‘an office to carry out any operational or administrative functions’. The National Planning Policy Framework identifies offices as a ‘Main town centre use’.  In this instance, the application site is located just outside of the town centre boundary for Clitheroe approximately 400m away from the Clitheroe Interchange and as such falls within the realm of an Edge Of Centre site which are defined in the NPPF as follows:  ‘*For retail purposes, a location that is well connected to, and up to 300 metres from, the primary shopping area. For all other main town centre uses, a location within 300 metres of a town centre boundary. For office development, this includes locations outside the town centre but within 500 metres of a public transport interchange.’*  Paragraph 86 of the NPPF states:  *‘Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.’*  Furthermore, Paragraph 87 of the NPPF states:  *‘Local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.’*  Moreover, Paragraph 91 of the Framework states:  *‘Where an application fails to satisfy the sequential test, it should be refused.’*  A Sequential Test has been provided in support of the application which demonstrates that a robust assessment of numerous alternative town centre sites to accommodate the proposed development has been undertaken via searches through Rightmove, Lancashire County Council’s property search engine and websites of local independent commercial agents. The assessment undertaken indicates that whilst several sites to potentially accommodate the proposed development exist within Clitheroe town centre, none of these meet the applicant’s requirements with respect to floor space, pricing or availability. As such, the proposed use of the application property as an edge of centre site for office use is considered to be acceptable on the basis of there being no suitable alternative sites within Clitheroe town centre. The proposed development would therefore satisfy the requirements of the Sequential Test and in turn Paragraphs 86, 87 and 91 of the NPPF.  Taking account of the above assessment of the proposal against both local and national planning policy, the proposed development is considered to be acceptable in principle subject to an additional assessment of material planning considerations. | | | | | | | | | | | | | | |
| **Impact upon Character/appearance of Conservations Area:**  The proposal site is situated on the North-eastern edge of the Clitheroe Conservation Area. With reference to making decisions on applications for development in Conservation Areas, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that:  *“...special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”*  This guidance is reiterated in Key Statement EN5 of the Ribble Borough Valley Core Strategy which stipulates that all development proposals should respect and safeguard the character, appearance and significance of all Conservation Areas.  The *Clitheroe* *Conservation Area Appraisal (2005)* identifies numerous elements as contributing to the Conservation Area’s special interest which include:   * Clitheroe Castle * Numerous historic and Listed Buildings * Church Street * The Market Place * Traditional 19th century shopfronts   Views of Clitheroe Castle, St. Mary Magdalene’s Church, the Public Library and views towards Pendle Hill are noted as Key Views within the above appraisal. Threats to the Conservation Area are listed as the continuing loss of original architectural details and use of inappropriate modern materials or details.  In this instance, the proposed change of use would involve the construction of a two storey side extension and single storey flat roof extension to the application property both which would read as subservient additions to the host building and with the extensions detailed in materials to the match the parent property. Furthermore, the extensions and additional external works proposed would not be read in concert with any of the Conservation Area’s elements of special interest or key views referenced above. Accordingly, it is not considered that the proposed development would detract from or result in any harm to the character and appearance of the Conservation Area. | | | | | | | | | | | | | | |
| **Impact Upon Residential Amenity:**  The first floor window proposed for the front South-western elevation of the property and windows within the North-western side elevation of the proposed two storey side extension would face into the public realm towards Waterloo Road and North Street respectively and as such would not compromise the privacy of any neighbouring residents.  The North-eastern side elevation of the proposed single storey flat roof extension would remain predominantly screened behind the existing common boundary wall between the application property and No. 5 Salthill Road and would therefore not lead to any loss of natural light or outlook to No. 5. The North-eastern side elevation of the proposed two storey side extension would be set further back towards the South-west behind the single storey extension and as such would have no impact upon No. 5 Salthill Road.  The application property is sited within close proximity to residential receptors however it is not anticipated that use of the application property as an office building would generate noise levels or disturbances above or beyond those associated with the previous use of the building (public house).  In addition, the proposed development would utilise the existing window openings within the building with additional window openings proposed therefore future users of the building would receive adequate levels of natural light and outlook.  Taking account of the above, it is not considered that the proposed development would be harmful to the amenity of any neighbouring residents or future users of the building. | | | | | | | | | | | | | | |
| **Visual Amenity/External Appearance:**  Paragraph 130 of the NPPF states:  *‘Planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting’.*  In addition, Policy DMG1 of the Ribble Valley Core Strategy states:  *‘All* *development must* *be sympathetic to existing and proposed land uses in terms of its size, intensity and nature as well as scale, massing and style…particular emphasis will be placed on visual appearance and the relationship to surroundings, including impact on landscape character.’*  In this instance, the proposed development would involve the construction of a two storey side extension and single storey flat roof extension to the North-western side elevation of the application property.  The proposed two storey side extension would be modest in terms of both footprint and width with its roof ridge aligning with the roof ridge of the property’s existing lower split roof component. Furthermore, the front and rear elevations of the two storey extension would be set back behind the front and rear elevations of the host building and the extension would be detailed in roughcast render and slate to match the external appearance of the existing building. As such, the two storey extension proposed would read as a subservient and congruous addition to the application property.  The symmetry of the two storey extension’s front roof slope would be somewhat at odds with the symmetry of the property’s lower front roof slope due to the depth of the proposed two storey extension which relates to the requirement to accommodate an internal staircase and landing. Notwithstanding this, public views towards the North-western side elevation of the application property are largely restricted by existing vegetation on the Northern and Southern sides of North Street and the use of matching slate within the roof profile of the two storey extension would allow for seamless integration with the roof profile of the existing building. As such, whilst the roof profile of the two storey extension is considered to be less than desirable from a design perspective, it is not considered that this would be of detriment to the character of the existing building.  The proposed flat roof single storey extension would be an equally modest addition to the property in terms of its height and footprint and would remain predominantly screened behind the property’s boundary wall therefore no concerns are raised with respect to its design or visual impact.  The additional door and windows openings proposed for the existing building and extensions would reflect the fenestration of the parent property in terms of their symmetry, placement and design and would therefore be respectful to the existing character of the property.  Taking account of the above, it is not considered that the proposed development would be harmful to the character of the application property or visual amenities of the area. The proposed development would therefore satisfy the requirements of Paragraph 130 of the NPPF and Policy DMG1 of the Core Strategy. | | | | | | | | | | | | | | |
| **Highways and Parking:**  Lancashire County Council Highways have reviewed the proposal and have raised no issues with the proposed development with respect to parking, access or general highway safety. The lack of off-street parking on site has been acknowledged by the LHA however no issues have been raised with respect to this on the basis of the lack of off-street parking being an existing situation whereby the proposed change of use would carry a requirement for fewer off-street parking spaces than the existing use (13 off-street spaces as opposed to 27 spaces). The lack of off-street parking has been further justified in light of the availability of nearby public transport links with the application site deemed as being in a sustainable location. The LHA have made a request for conditions to be imposed with regards to construction management and cycle storage provision. Notwithstanding this, it is not considered that the proposed development would have any undue impact upon the surrounding highway network. | | | | | | | | | | | | | | |
| **Landscape/Ecology:**  A bat survey carried out at the application property on 21/3/23 found no evidence of any bat related activity and the application property was ultimately deemed as holding negligible roosting potential for bats. As such, further survey work has not been deemed necessary. No other ecological constraints were identified in relation to the proposal. | | | | | | | | | | | | | | |
| **Other Matters:**  Flood Risk  The application site lies within Flood Zones 2 and 3. National planning legislation requires the provision of a Flood Risk Assessment for all development within Flood Zones 2 and 3, with sequential tests required for developments within Flood Zones 2 & 3 which do not fall within the following categories:   * domestic extensions with a footprint of less than 250 square metres * non-domestic extensions with a footprint of less than 250 square metres * change of use (except changes of use to a caravan, camping or chalet site, or to a mobile home or park home site)   The proposed development comprises two non-domestic extensions with a footprint of less than 250 square metres and the change of use proposed does not relate to a caravan, camping or chalet site, or to a mobile home or park home site therefore application of the sequential test is not required in this instance.  Environment Agency Guidance for minor extensions in Flood Zones 2 and 3 requires applicants to specify one of two mitigation measures with respect to instances of flooding, namely that;   * Floor levels within the proposed development will be set no lower than existing levels AND, flood proofing of the proposed development has been incorporated where appropriate (requires applicant to specify details of flood proofing / resilience and resistance techniques)   Or;   * Floor levels within the extension will be set 300mm above the known or modelled 1 in 100 annual probability river flood (1%) or 1 in 200 annual probability sea flood (0.5%) in any year (to be demonstrated by a plan that shows finished floor levels relative to the known or modelled flood level)   In this instance, the proposed floor plans and elevation drawings submitted in support of the application indicate that the ground floor level within the proposed two storey side extension would not be set below the floor level of the existing building. In addition, a Flood Risk Assessment has been provided in support of the application which specifies a range of flood mitigation measures which include the use of low permeability materials in the construction of the two proposed extensions, elevated wall sockets, airbricks and gas /electrical services, storage of materials / possessions as high as possible, the protection of wood fixings with suitable coatings and the use of non-return valves on all surface water and foul sewer connections from the building in order to prevent backflow in the event of a flood.  The above mitigation measures specified are considered appropriate for the development proposed therefore no concerns are raised with respect to flood risk. | | | | | | | | | | | | | | |
| **Observations/Consideration of Matters Raised/Conclusion:**  The proposed change of use is considered to be acceptable in terms of its location and nature of use and sufficient information has been provided in support of the application to satisfy the requirements of the Sequential Test for Main town centre uses and establish the principal of the development with respect to the provisions of Paragraphs 86, 87 and 91 of the NPPF and Key Statements DS1, EC1 and DMI2 and Policies DMG1, DMG2, DMG3 and DMB1 of the Core Strategy.  Furthermore, it is not considered that the development proposed would have any undue impacts upon neighbouring amenity or the visual amenities of the area and the development as proposed does not raise any concerns with respect to highway safety, ecology, flood risk or its impact upon the historic character of the adjacent Conservation Area.  As such, for the above reasons and having regard to all material considerations and matters raised that the application is recommended for approval. | | | | | | | | | | | | | | |
| **RECOMMENDATION**: | | | That planning consent be granted subject to the imposition of conditions. | | | | | | | | | | | |