

**Item 3c**                                **15/00832/FUL**

**Case Officer**                        **Caron Taylor**

**Ward**                                    **Brindle And Hoghton**

**Proposal**                              **Retrospective application for the installation of a timber decking area to the front of premises (to include amendments to design from that was previously refused to remove wood below decking level to allow cobbles to be visible underneath, planters in conservation colour between uprights and removal of wood around decking and replacement with tensioned wires).**

**Location**                              **The Sirloin Inn  
Station Road  
Hoghton  
Preston  
PR5 0DD**

**Applicant**                              **Black Napkins North West Ltd**

**Consultation expiry:**                **24<sup>th</sup> September 2015**

**Decision due by:**                    **13<sup>th</sup> October 2015**

**Recommendation**  
**Approve retrospective planning permission**

**Representations**

<p><b>Hoghton Parish Council</b> objects to this proposal on the grounds that:</p> <ul style="list-style-type: none"> <li>• it is not in keeping with the area</li> <li>• is not an improvement on the existing structure</li> <li>• the decking has resulted in the removal of disabled access to the premises from the front of the building.</li> </ul>
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**In total 4 representations have been received which are summarised below**

**Objection:**

Total No. received: 4

- It encourages noise disturbance at night;
- The current building is an asset to the area but the addition of the decking ruins the appearance of the inn and is completely out of character with the building and surrounding neighbourhood;
- It will lead to an increase in the congestion on Station Road by parking space being taken up by the structure;
- Safety concerns of unsupervised children by the nearness of the level crossing;
- Apart from taking the wood at the base and some wires instead of the upper structure there is virtually no change in the shape and size of the decking.
- It is still an eyesore and not at all suitable for the stone building;
- It has removed disabled access to the building.

**Consultees**

<b>Consultee</b>	<b>Summary of Comments received</b>
Lancashire County	Have no objections to the application.

Council Highways	
Chorley's Conservation Officer	No objection
Chorley's Environmental Services	Further to the consultation response from this department on the initial rejected application when no complaints relating to his area had at that time been received, a noise nuisance complaint relating to patrons frequenting the front decking area of the premises has since been received. However, as the complaint related to persons congregating whilst smoking and waiting for taxis etc, these issues would have occurred irrespective as to whether decking was located in this area. Whilst investigations into potential noise nuisance arising from the premises are ongoing, other than the isolated complaint concerning the front area of the premises, all other complaints relate to the rear car park and rear outside area. The usage of the front decking area by customers is subject to conditions on the premises licence in relation to the licensing objectives including the prevention of public nuisance and therefore any identified issues can be acted upon. As such, this department has no objection to the application.

## Assessment

### Background

- Members will recall that a retrospective application for decking at The Sirloin public house was refused at April's Development Control Committee on the grounds that its materials were not in keeping with the building and that the decking obscures the front façade of the building causing substantial harm to the significance of the building as a heritage asset.
- This application proposes amendments to the design from the previously refused scheme to remove wood below the decking level to allow the cobbles to be visible underneath, planters are proposed in conservation colour between the uprights and the removal of wood around decking is proposed to be replaced with tensioned wires.

### Principle of the Development

- The Local Plan 2012 – 2026 was adopted on 21<sup>st</sup> July 2015.
- The property is within the settlement of Houghton as identified in the Local Plan, therefore in accordance with Policy V2 of the Local Plan within settlements areas excluded from the Green Belt, and identified on the Policies Map, there is a presumption in favour of appropriate sustainable development, subject to material planning considerations and the other Policies and Proposals within the plan. The proposal is therefore acceptable in principle.

### Design and Layout

- The application site is neither a listed building nor is it a 'Locally Important Building', however as was noted as part of the previously refused application it is clearly a building of some historic interest and local significance. As such it is considered that this local significance is worthy of consideration within the planning process and building is considered to be a 'heritage asset' as defined by Annex 2 to the National Planning Policy Framework.
- The National Planning Policy Framework (the Framework) at Paragraph 129 under Conserving and Enhancing the Historic Environment states that, '*Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.*'

7. Paragraph 131 states that, *'in determining planning applications, local planning authorities should take account of:*
  - *The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
  - *The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
  - *The desirability of new development making a positive contribution to local character and distinctiveness.'*
8. Paragraph 135 states that, *'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'*
9. The Adopted Central Lancashire Core Strategy (2012), policy 16 refers to Heritage Assets. This policy mirrors that given in the Framework and states that it seeks to, *'Protect and seek opportunities to enhance the historic environment, heritage assets and their setting by:*
  - a. *Safeguarding heritage assets from inappropriate development that would cause harm to their significances.'*
10. The Chorley Local Plan 2012 – 2026, Policy BNE8 refers to the Protection and Enhancement of Heritage Assets. Essentially this policy mirrors the Framework. Paragraph b, states that, *'Applications will be granted where they sustain, conserve and, where appropriate, enhance the significance, appearance, character and setting of the heritage asset itself and the surrounding historic environment and where they show consideration for the following: iii, The Conservation and, where appropriate the enhancement of the setting of heritage assets.'*
11. Whilst it is accepted that the building in question is of relatively low significance, it is nonetheless of some local historic value. The building was previously known as the Railway Tavern, being in close proximity to Hoghton railway station on the Preston to Blackburn branch of the Lancashire & Yorkshire Railway. It is, however, probably older than the railway, which was constructed in the 1840s, and could have been a coaching inn on the Blackburn turnpike road, which then took the route of the present day Station Road at this point. It is thought that the building could date to the latter part of the 18<sup>th</sup> Century. It is constructed of local sandstone with a welsh slate roof and displays many typical vernacular details such as a projecting string course between ground and first floor, a dentil course just below the eaves and cut stone detailing for window and door surrounds, plus a simple 18<sup>th</sup> Century styled porch hood.
12. The previous report considered that the raised timber decking with close-boarded fencing, detracts from the attractive frontage to the building to such an extent that it causes substantial harm to the significance of the building. Whilst the colour at least tones with that of the stone, it is the feeling of being hemmed in that the screens create that causes the greatest visual blight to the building. The Conservation Officer also questioned the necessity for the raised decking as part of the previous proposals, which again obscures the building frontage. It is considered the fact that the building is clearly located on sloping ground all adds to its vernacular charm and character and this should be celebrated rather than being ignored or hidden.
13. The current application proposes to amend the decking scheme that has been erected so that the vertical timber boarding below the decking level will be removed, allowing the cobbles underneath to be visible. In addition the vertical timber boarding above the level of the deck is also to be removed and replaced with tensioned wires. Raised planters will be created so the edges of the suspended decking will be hidden from view. These will be planted up and painted in a conservation colour.
14. The removal of the vertical boarding below the level of the deck is considered favourably as it will allow some of the cobbles underneath it to be viewed. The removal of the vertical boarding and replacement with tensioned wires will mean that the decking no longer fully obscures the front façade of the building, allowing it to be viewed but softening it with the planters. The use of tension wires is considered acceptable, although contrasting with the building the contemporary

materials will mean the decking structure is 'read' as an honestly modern addition. The Council's Conservation Officer also finds the changes acceptable.

15. The amendments proposed to the decking are therefore considered acceptable as they allow more of the front façade to be viewed. A condition will need to be imposed to ensure that the scheme is altered to reflect the amended plans.

#### Impact on Neighbours

16. The decking is to the front of the public house which is situated in a largely residential area with a railway line to the northwest with a level crossing. The side/rear garden of number 42 Fowler Close is directly opposite the site, the property known as Neuadd Wen is next door to the southeast but set back from the road by approximately 40m. Next door to the northwest is no.1 The Crossings, which faces towards Station Road, set back by approximately 26m.
17. As per the previous application the decking to the front is not licenced for the sale of alcohol, but rather for the consumption of alcohol. It is covered by the premises licence as an outdoor area. A condition on the most recent premises licence prevents consumption of alcohol in respect of the outdoor areas after 11pm. Although it is accepted that the decking is more likely to encourage people to sit at the front of the property, this area could be used anyway up until 11pm and chairs could be put outside for this purposes without planning permission. The properties immediately adjacent at either side are set back behind the frontage of the public house and therefore the impact of the front decking in neighbour amenity terms is considered acceptable.
18. No. 42 Fowler Close is opposite the site but is separated by Station Road. Although it is side onto the application site and has a window in its side elevation its main windows face northwest and southeast. Considering that the premises licence allows outside consumption until 11pm including on the area where the decking is, even if that had not been erected, it is considered an acceptable relationship with this property.
19. The Council's Environmental Health department do not object to the application. Although they note a noise nuisance complaint relating to patrons frequenting the front decking area of the premises has been received since the previous application they note that it related to persons congregating whilst smoking and waiting for taxis etc. It is agreed that these issues could have occurred irrespective of whether the decking is in place or not. All other complaints relate to the rear car park and rear outside area. Based on this it is not considered that noise could form a reason for refusal of the application. The Environmental Health Officer does advise that the usage of the front decking area by customers is subject to conditions on the premises licence in relation to the licensing objectives including the prevention of public nuisance and therefore any identified issues can be acted upon.

#### Highways

20. As per the previous application, the decking is fronting Station Road, on an area of cobbles to the front of the public house. It does not however reduce visibility from The Crossings, the entrance to the public house car park, or the property called Ellisland, as the pavement either side of the decking projects beyond it.
21. Representations state that the decking is on an area of parking and therefore these spaces have been lost. Although cars may have parked on the cobbled area in the past, the public house has a car park to the rear. It is accepted that when a special event is on at The Sirloin and the car park is closed this does result in parking on Station Road. It is not considered however that the proposal could be refused on the grounds of parking given the size of the rear car park and the limited times this is closed for parking.

#### **Overall Conclusion**

22. The decking is now considered acceptable with the amendments that have been made to its design that now reveal more of the front façade of the building.
23. The application is recommended for approval subject to a condition that the decking that has been erected is amended to accord with the proposed plans.

**Planning Policies**

In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Local Plan 2012-2026 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the proposal has had regard to guidance contained within the National Planning Policy Framework (the Framework) and the development plan. The specific policies/ guidance considerations are contained within the body of the report.

**Planning History**

<b>Reference</b>	<b>Description</b>	<b>Decision</b>	<b>Date</b>
04/01371/FUL	Retrospective application for the formation of a rear decking area [rear of public house]	Permitted	14 <sup>th</sup> February 2005
15/00159/FUL	Retrospective application for the installation of a timber decking area with balustrade around the front of premises	Refused	29 <sup>th</sup> April 2015

### **Suggested Conditions**

1. Within three months of this permission the existing decking at the public house shall be altered so that it is built in accordance with the scheme shown on the approved plan.

*Reason: To ensure that the decking is amended in accordance with the approved plan.*

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

<b>Title</b>	<b>Drawing Reference</b>	<b>Received date</b>
Planning Resubmission	Amended proposal The Sirloin Front Decking	18 <sup>th</sup> August 2015

*Reason: For the avoidance of doubt and in the interests of proper planning*