

The Castle Gardens, Poulton-le-Fylde

Planning Statement



Boyer

Report Control

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Appendix 1 - Site Location Plan

1. INTRODUCTION

- 1.1 This Planning Statement has been prepared on behalf of our client, Mitchells and Butlers, in support of a retrospective full application for the siting of 9 No. temporary wooden chalets at The Castle Gardens, 10 Poulton Road, Poulton-le-Fylde, FY6 7NH.
- 1.2 The proposed alterations will seek to continue to ensure the Public House is a vibrant destination, assisting in helping to retain and attract new patrons.
- 1.3 The Planning Statement should be considered with the accompanying forms and plans submitted with this application.

Structure of the Document

- 1.1 This document provides an evaluation of the planning considerations of the proposal and includes:
 - A description of the application site (Section 2);
 - An overview of the relevant planning history of the site (Section 3);
 - An explanation of the development proposals (Section 4);
 - A review of relevant national and local planning policy (Section 5);
 - An appraisal of the key considerations regarding the proposed development (Section 6); and
 - A summary and conclusion (Section 7).

Summary Case in Favour of Development

- 1.2 This report sets out the justification in planning terms for the proposed development, which is summarised as follows:
 - Enabling investment into the continued use of the facility as a pub and restaurant, ensuring its retention and enhancement as a local community facility and its long term sustainability, whilst complying with social distancing guidelines; and
 - Residential amenity will not be unacceptably adversely impacted due to the temporary nature of the proposal; the proposed closing times; the set back from residential development and sizeable garden space; appropriate management by Castle Gardens staff; and the limited number of patrons permitted to occupy the chalets.

2. SITE DESCRIPTION

- 2.1 The application site comprises The Castle Gardens public house located on the northern side of Poulton Road in the village of Carleton, situated to the north-west of Poulton-le-Fylde. The two storey building is comprised of painted brick and render and the site includes a large car park and gardens accessed via Fleetwood Road for the use of staff and customers. The building has frontage onto both Poulton Road and Fleetwood Road, with the car park and garden wrapping around the north and western boundary, providing an outdoor terrace area with seating. A Site Location Plan is enclosed at **Appendix 1** for reference.
- 2.2 To the west of the site travels Fleetwood Road, beyond which the Church of Saint Martin and Saint Hilda is located to the north. To the east there is residential development along Poulton Road and Sherbourne Court. The site falls within the Castle Gardens Local Centre that encompasses a parade of shops, takeaways, pharmacy and newsagents to the south of the site. Castle Gardens Crescent bus stop is located on the southern boundary on Poulton Road.
- 2.3 With regard to the local area, the site is located approximately 2.4km north west of Poulton-le-Fylde Town Centre, where there are numerous services and facilities including pubs and restaurants, takeaways, food stores, shops, public parks, a library and train station. Tithebarn Street and Poulton Road travel between the town centre and Castle Gardens Pub, along which there are a variety of shops, restaurants, takeaways located at either end.
- 2.4 The site is not affected by any environmental, ecological or heritage policy designations.

3. PLANNING HISTORY

3.1 The planning history at the site comprises several planning applications for various works and improvements to the pub:

- Ref: 93/00030 – Various illuminated and non-illuminated signs. Approved 11/01/1993
- Ref: 04/00116/FUL – Extension of hard surfaced areas for garden use, minor illumination and general refurbishment. Approved 02/02/2004.
- Ref: 05/01161/FUL – Addition of 3 new windows to west elevation. Approved 04/10/2005
- Ref: 06/00162/FUL - Addition of 1 flue fan to the roof. Approved 16/02/2006.
- Ref: 07/01345/FUL – Freestanding external shelter. Approved 29/11/2007. Conditions attached limit the use, whereby there shall be no playing of either live or amplified music, regulated entertainment or television to the approved shelter, in order to protect the residential amenity of nearby occupants of residential dwellings.

4. PROPOSED DEVELOPMENT

- 4.1 Retrospective planning permission is sought for the installation of 9 No. temporary wooden chalets which will provide sheltered outdoor seating for patrons of The Castel Gardens pub in order to comply with current social distancing and Coronavirus restrictions.
- 4.2 The chalet cabins were initially installed in June 2021 and so retrospective planning permission is now sought in order to regularise the position.
- 4.3 The chalet are positioned within the front garden area along the southern boundary of the site that fronts Poulton Road. Six cabins are situated towards the south eastern boundary of the site in a circular formation with the remaining 3 'Old Mout Huts' located on the southern boundary on Poulton Road. This is indicated on the Proposed Block Plan submitted with the application.
- 4.4 The group of six chalet cabins are approximately 2.61 meters in height, 3.26 meters in width and 2.41 meters in depth (i.e. 7.86sqm floor space). Additionally, the group of three chalet huts measure 2.48 metres high, 2.00 metres wide and 2.45 metres in deep (i.e. 4.9sqm floor space). The chalet cabins are made of wooden panels. The rear elevation is fully boarded up, with a single access door at the open front elevation, whilst the two side elevations either have wooden handrails or half panelling for enclosure. The cabin roof is pitched with festoon lighting.
- 4.5 The chalet cabins have no foundations and do not involve the breaking of any ground. The six chalet cabins situated towards the south eastern boundary of the site in a circular formation are positioned on top of a combination of existing paving (for benches), circular brick paving and grass. The remaining 3 'Old Mout Huts' are positioned on the grass. There are timber supports underneath the chalets. Whilst there are surrounding trees there is no ground works required to have any significant impact.
- 4.6 It is intended that the cabins will provide shelter for 6 to 8 people at a time (depending on national/local restrictions and limits on the number of people allowed to form a group). The chalet cabins are proposed to be installed in the gardens as a temporary basis whilst Coronavirus restrictions are in place and consequently affecting the operation of public houses throughout the UK. By providing additional outdoor shelter The Castle Gardens Pub can continue to safely and lawfully operate their food and drinks services in accordance with government social distancing guidelines.
- 4.7 The cabins will be operational from 11am-10pm on Thursday to Saturday and 11am-9pm on Sunday to Wednesday.

5. PLANNING POLICY

- 5.1 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.
- 5.2 There are also a number of other local, regional and national policy documents which are material considerations, including:
- Wyre Local Plan (2011-2013) (Adopted 2019);
 - Supplementary Planning Guidance;
 - National Planning Policy Framework (NPPF)

Development Plan

Wyre Local Plan (2011-2031) (Adopted 2019)

- 5.3 The following DPD Policies are considered relevant to this proposal.
- 5.4 CDMP1 Environmental Protection. Development will be permitted where in isolation or in conjunction with other planned development, it can be demonstrated that the development: will be compatible with adjacent uses and would not lead to significant adverse effects on health, amenity, safety and the operation of surrounding uses and for occupants or users of the development itself, with reference to noise, vibration, odour, light, dust, other pollution or nuisance.
- 5.5 CDMP3 Design. Policy stipulates all development will be required to be of a high standard of design and appropriate to the end use. Innovative design appropriate to the local context will be supported and will be expected to demonstrate an understanding of the wider context and make a positive contribution to the local area.
- 5.6 EP4 Town, District, Local and Neighbourhood Centres. Town Centres are important in providing space for retail, leisure and culture. A healthy, vibrant town centre raises the confidence of local residents and businesses. The Local Plan sets out a hierarchy of different centres in accordance with EP5, where the scale of retail investment should be commensurate with the position of the centre in the hierarchy. Castle Gardens falls under the Local Centre Hierarchy. Policy states *'planning permission will only be granted for development which is appropriate in scale and commensurate with the centre's position and function in the hierarchy.'* Furthermore, EP4 recognises the importance of Local centres in the sustainability of the communities they serve. Development which will cause loss or affect their vitality will only be permitted where the local area is served by alternative provisions.

- 5.7 EP11 Protection of Community Facilities. Facilities such as Public Houses are stated as an important part of community life that provide for everyday needs, serve a social function and act as a focus for communities that contribute towards sustainable living by reducing the need to travel to larger centres as frequently. However, such facilities can often be under threat due to changes in lifestyles and economic pressures on businesses. Given their importance to the vitality of local communities it is important to protect such facilities wherever possible.

Material Policy Considerations

Supplementary Planning Guidance (SPG)

- 5.8 There are no adopted Supplementary Planning Documents relevant to the development proposal.

National Planning Policy Framework

- 5.9 The National Planning Policy Framework provides national guidance for development and was revised in February 2019.
- 5.10 In Section 6, it states that planning policies should be flexible to accommodate needs not anticipated in the plan and enable a rapid response to changes in economic circumstances.
- 5.11 Section 8 also supports that planning policies and decisions should encourage the use of community facilities including public houses, to enhance the sustainability of communities and residential environments.

6. KEY CONSIDERATIONS

- 6.1 This section identifies the key planning considerations arising from the proposal. It draws upon the site's context and the planning policy review together with other relevant matters.
- 6.2 These evidence sources suggest that the following matters are central to the determination of this application:
- Principle of development
 - Impact on amenity
 - Scale and design of development

Principle of development

- 6.3 The application site is an existing pub in Poulton-Le-Flyde, whereby the public house use of the land is established in principle. Furthermore, planning permission has previously been /granted for a free standing external shelter in the curtilage of The Castle Gardens (Ref:07/01345/FUL), indicating the acceptability of outdoor development to support the pub use of the main building in principle.
- 6.4 The existing circular paved area and the benched seating has been in position for in excess of ten years at the south eastern boundary of the site. In effect the proposal is simply replacing the existing benched seating with the six chalet cabins. As for the three 'Old Mout Huts', again this area has been utilised for external seating already.
- 6.5 This precedent demonstrates that the proposed temporary installation of chalet cabins for outdoor seating and shelter in the curtilage of The Castle Gardens, to support its function as a successful community facility, can be supported in principle providing the proposal is planning policy compliant.

Diverse local centre uses

- 6.6 With regard to diversity of uses in local centres, the use of the site is already established with the existing pub, therefore a temporary extension of this drinking/pub use into the curtilage by installing chalet huts is deemed appropriate for the area. The site is located 1km north of Poulton-le-Flyde Town Centre, where there are a variety of shops, cafes and takeaways supporting the local area as principal locations for convenience and comparison retail and development in line with Policies EP4 and EP5. Policy EP4 identifies The Castle Gardens pub within the designated Castle Gardens Local Centre, and recognises the importance of local centres 'for the sustainability of the communities they serve'. The proposal would be appropriate in scale and commensurate with Castle Garden's position and function in the development hierarchy.

Impact on amenity

- 6.7 Regarding residential amenity, The Castle Gardens Pub is located within Carleton's Local Centre near to residential development along Poulton Road and Sherbourne Court. To the south of the site a shopping parade can be found that offers various services and facilities. To the immediate north is the Church of Saint Martin and Saint Hilda and therefore removes potential harm to neighbour's amenity to the north. The nearest noise receptor is considered to be the dwelling at 12 Poulton Road and the adjoining terrace to the east. Therefore opening hours for the chalet huts will be restricted to 10pm at night on Thursday-Saturday and 9pm on Sunday-Wednesday, to ensure there is no noise disturbance at unsociable hours. Where the current use of land is as outdoor garden seating, the erected chalets are not considered to increase levels of harm to neighbour's amenity by way of noise pollution and disturbance. The siting of the chalets in the south eastern corner of the site, together with their circular orientation facing inward to the garden area and boarded up elevation serving as a barrier to the adjacent development, all assist in minimising noise disturbance to the housing development to the east of The Castle Gardens Pub. Furthermore, the use of the area for bench seating has been in place for in excess of ten years.
- 6.8 No music is proposed to be played within the huts and they will have a limited capacity of 6-8 people at a time. Furthermore, conditions could be imposed on any future planning permission to restrict noise levels to an acceptable limit, as was deemed acceptable for the previous application for a smoking shelter the site (Ref: 07/01345/FUL). Planning conditions were attached to limit the noise from use of the smoking shelter and prevented any live or recorded music being played in the smoking shelter.
- 6.9 With regard to antisocial behaviour, the chalet huts will be managed by The Castle Gardens staff and will be closed by 10pm at night at the latest, with the earlier closing time of 9pm on weeknights from Sunday-Wednesday. In addition, Coronavirus guidelines will restrict groups to 6 people with no mixing between groups, which will reduce the likelihood of unwanted disorderly behaviour among visitors.
- 6.10 Impact on amenity with regard to odour is not relevant to the development proposal as no cooking or food preparation will take place at the chalet huts.
- 6.11 It is pertinent to consider the temporary nature of the chalets in terms of amenity impact. Due to Coronavirus restrictions, outdoor gatherings are a safer alternative to indoor gatherings. It is projected that pub gardens will be permitted to open for groups of up to 6 people in England from April 12th 2021. Since social distancing guidance were initially introduced in 2020, temporary modifications have been made to the planning system, for example the extension of permitted development rights for temporary uses and structures. These modifications acknowledge the pandemic's impact on planning, land use and business operation, in accordance with NPPF Section 6, which states that planning policies should be flexible to accommodate a rapid response to changes in economic circumstances.

- 6.12 Overall, the proposed development provides an opportunity for The Castle Gardens to continue operating in a safe and lawful manner under coronavirus restrictions to the benefit of the business and local economy. As demonstrated, the proposal complies local plan policy with mitigable amenity impact on a temporary basis and is accordingly considered acceptable in principle.

Residential Amenity

- 6.13 As stated above, any noise disturbance emanating from the use of outdoor chalet huts in The Castle Gardens' grounds can be restricted by closing the huts at 9pm/10pm. This will ensure nearby residents are not disturbed by noise from the pub at unsociable hours. Furthermore, the huts are proposed to be used on a temporary basis only and as such any amenity impact will be temporary in nature and therefore acceptable.
- 6.14 Furthermore, the staff at the pub will also be very conscious of any impact upon the local residents and will ensure the proper management of patrons.
- 6.15 If reasonably necessary, a planning condition could be attached to any future permission to limit noise to an acceptable level.

Scale and Design of Development

- 6.16 The proposed development is modest in scale, comprising 9 huts extending to 61.86sqm floorspace, in total. No other hardstanding or facilities are proposed as the main building of The Castle Gardens provides all necessary facilities. Whilst the huts are visible from the highway along Poulton Road, the huts are located within the garden boundary of the pub, set back from the adjacent pavement and boundary treatment. As such they will be viewed in conjunction with the existing development at the site.
- 6.17 The primary consideration with regard to scale of the proposed development is its temporary nature, meaning that if and when the huts are required to be removed from the garden, the site will revert to its original state with no remaining or long lasting effect on the site.
- 6.18 The design of the chalet huts is appropriate to the context of the site and wider area, being of a height and scale that is subservient to their surroundings so not to harm the character and appearance of the area. Furthermore, the use of materials ensure the design respects and enhances the character of the area.
- 6.19 Moreover, the fact that the chalets are small in nature and do not have any ground works limits any impacts upon the existing trees on site.

Other matters

- 6.20 With regard to highways, the proposal would be suitably set back from the highway and relatively low lit with festoon lighting. Therefore it is not considered the proposal would lead to any distraction to highway users or impact highway safety.

7. CONCLUSION

- 7.1 This Planning Statement supports a full retrospective application for the installation of 9 No. chalet cabins for sheltered seating at The Castle Gardens, Carleton.
- 7.2 The site is located within the Castle Gardens Local Centre, Carleton to the north of Poulton-le-Fylde Town Centre. As such, this proposal seeks to support an existing community facility at The Castle Gardens Public House, where guests can enjoy the food and drink services available whilst fully complying with social distancing guidance, thus contributing to the local economy.
- 7.3 The proposal is policy compliant in this regard and accords in the following ways:
- Issues regarding surrounding amenity will be temporary in nature for the duration the chalets are installed on site and in addition, can be addressed by appropriate conditions;
 - The opening hours will be limited to 10:00-22:00 on Thursday-Saturday and 10:00-21:00 on Sunday-Wednesday;
 - There would be no adverse impacts on crime or antisocial behaviour.
- 7.4 The proposed development provides an opportunity to ensure the effective operation of the pub/hotel as a valuable community asset, following its temporary closure due to Covid-19 restrictions. It will provide temporary improvements in terms of economic and social vitality.
- 7.5 Consequently, it is suggested that planning permission should be granted for this application with the appropriate conditions.

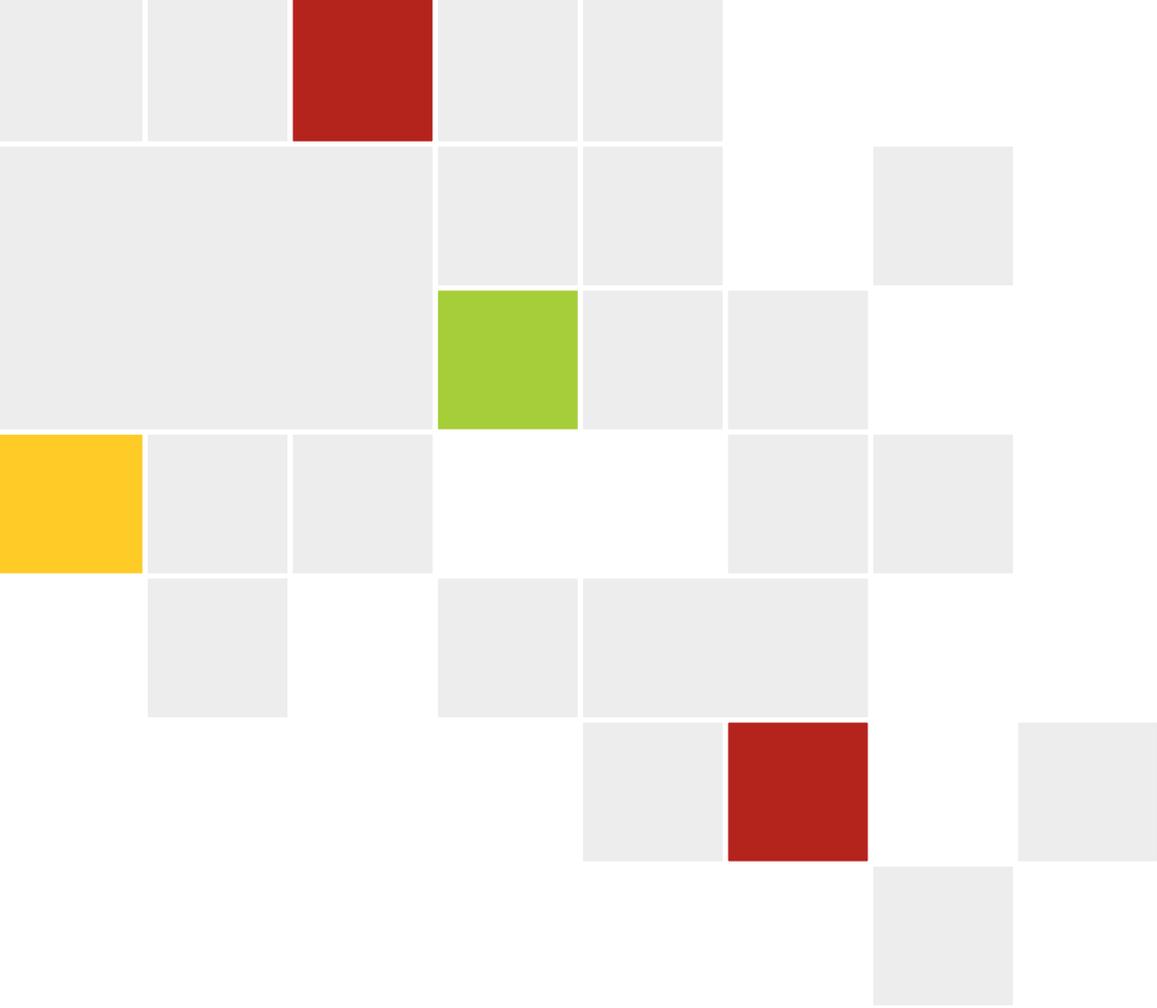
APPENDIX 1 - SITE LOCATION PLAN

Proposed Block Plan (Drawing No: 21.8038-01)



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