

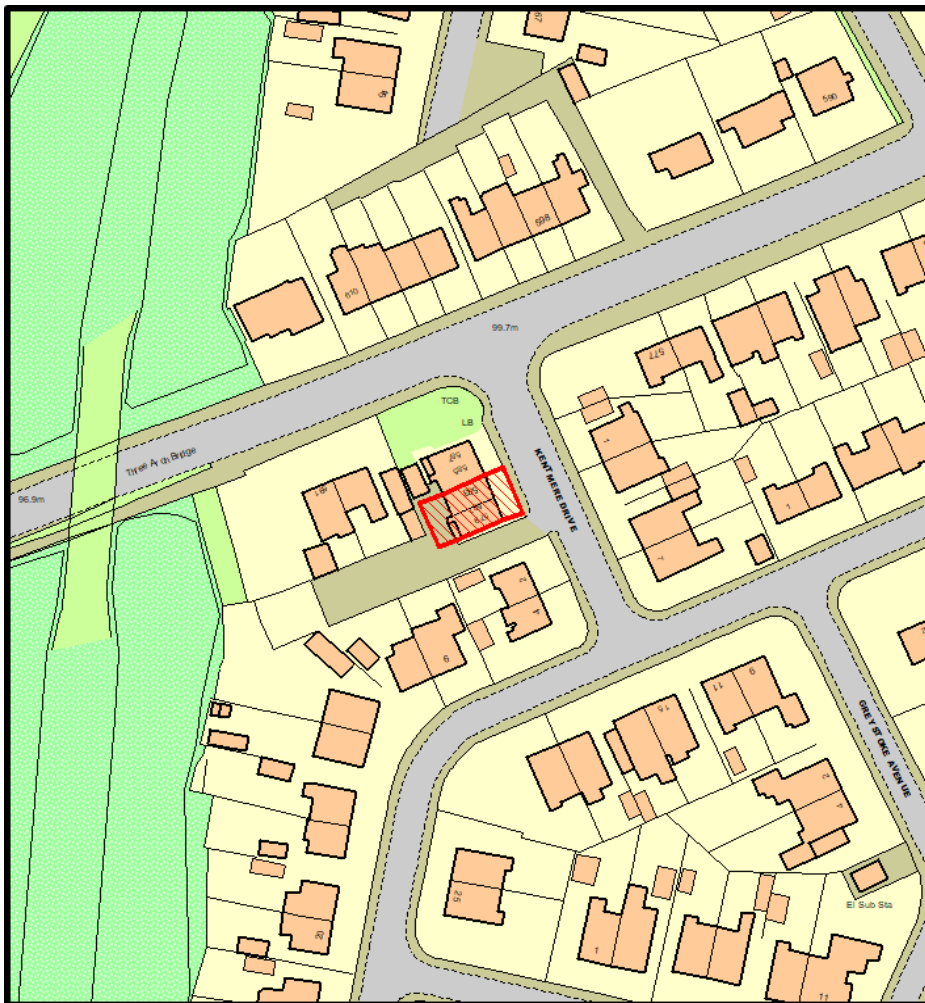
Proposed development: Variation/Removal of Condition/Minor Material Amendment for Variation of Conditions pursuant to planning application 10/18/0417; no. 1 (Amend Approved Drawings) to seek retrospective permission for the raised decking and fencing to the front of the premises; No. 3 (Hours of Opening) to amend the opening hours so that the premises will not open to the public outside the following hours: *Monday to Saturday 08:00 to 18:00 hours and on Sundays and Bank Holidays: 10:00-19:00 hours*; and removal/ variation of condition no. 6 restricting *no more than 8 people at any one time to allow 12-16 seats (3-4 tables) externally*.

Site address:

**The Arches Cafe , 581-583 Preston Old Road
Blackburn
BB2 5HD**

Applicant: Mr Simeon Stuttard

**Ward: Livesey With Pleasington: Councillor Derek Hardman
Councillor Paul Marrow**



1.0 SUMMARY OF RECOMMENDATION

- 1.1 **SPLIT DECISION** - subject to the conditions as varied – as shown in Section 4.0 of this report.

2.0 KEY ISSUES/SUMMARY OF PLANNING BALANCE

- 2.1 This application is presented to the Committee for determination as part of the Chair Referral process due to the local interest in the application from nearby residents and the number of objections and support representations received.
- 2.2 The café has provided a social hub in the local area, which is within walking distance of many properties. The shop and its attractive shop front with associated planting has enhanced this former shopping parade, now containing the Arches Café and a Hairdresser with ancillary beauty services.
- 2.3 The representations make clear that the conflict of customers to the café cause on-street parking issues to local residents and this is one of the main concerns of local residents, alongside the noise and disturbance from customers of the café.
- 2.4 The boundary fencing and raised platform that has been erected and is being applied for retrospectively is considered to be visually acceptable.
- 2.5 The concerns of local residents relating to parking and highway safety issues around the locality have been fully taken into account. In the interests of the safety of all highway users, it is recommended that the proposal to extend the weekday, Monday to Saturday, opening hours be resisted, due to the conflict of customer and residents parking at those peak times when residents are returning home from work.
- 2.6 Whilst this is the case, the café is currently authorised to open until 18:00 hours on Sundays and Bank Holidays. It is therefore considered that in both highway safety and residential amenity terms, any additional harm accrued by the additional one hour on Sunday and Bank Holidays would not be so significant to justify refusal of this aspect of the proposals.
- 2.7 Moving on to the third element being proposed which seeks to remove Condition no. 6 pursuant to application 10/18/0417. Condition 6 restricts the number of covers outside the café to no more than 8, given the close proximity of neighbouring dwellings directly adjacent to and opposite the application site. It is considered that the previous concerns of Officers and Members relating to neighbouring amenity have not changed. Officers consider the amenity of these local residents would be made significantly worse by any increase in the number of people sitting outside the premises. For these reasons, it is thus recommended that Members resist the removal of this condition.

3.0 RATIONALE

3.1 Site and Surroundings

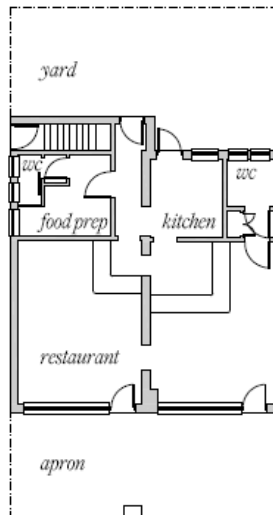
- 3.1.1 The application relates to a double retail unit situated within a short retail parade of shops located on the west side of Kentmere Drive close to its junction with Preston Old Road on the main entrance route to the wider Kentmere Drive residential estate.
- 3.1.2 The small retail parade contains a hairdressers, and the business the subject of this application, the 'The Arches' café.
- 3.1.3 Other than the two businesses at this point, the surrounding area is predominantly residential in nature with dwellings located to the north, east, south and west of the business premises.
- 3.1.4 A short parking layby exists in front of the premises which provide parking for approximately three vehicles. To the side of the property two cars are able to park off street with one car able to park to the rear. Customer parking for the café is on-street.



Photograph of the Arches Café frontage.

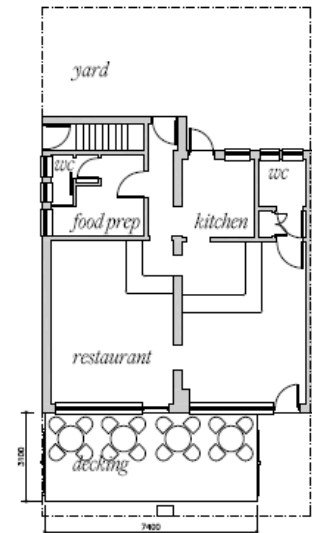
3.2 Proposed Development

- 3.2.1 Following approval of application 10/18/0417 by Members at the August 2018 Planning & Highways Committee the application seeks the following amendments and variations to the approved development:
- 3.2.2 Firstly permission is sought to vary the approved drawings to seek retrospective permission for the raised decking and fencing to the front of the premises which has been erected.



floor plan before

0 1 2 3 4 5m 1:100



floor plan after

0 1 2 3 4 5m 1:100

Extract from submitted existing and proposed plans (14th October 2020):



Photograph of frontage to Arches Café showing the raised decking and fencing,

3.2.3 The second variation being sought is to extend the hours of opening of the café. As part of planning application 10/18/0417 condition no. 3 restricted the hours to the following:

“The premises shall not be open to the public outside the following hours:

Monday to Saturday 08:00 - 16:00 and,

Sundays and Bank Holidays 10:00 - 18:00.

REASON: To protect the amenities of the occupants of nearby residential properties and the character of the area in accordance with Policy 8 of the Blackburn with Darwen Local Plan Part 2.”

3.2.4 The applicant seeks to amend the opening hours to:

Monday to Saturday 08:00 to 18:00 hours and,

Sundays and Bank Holidays: 10:00-19:00 hours.

3.2.5 The final aspect of the amendments proposed is to remove condition no. 6 which states:

“No more than 8 covers shall exist externally at any one time.

REASON: To limit the noise created outside the premises in the interests of the amenity of surrounding residents and to accord with Policy 8 of the Blackburn with Darwen Local Plan Part 2.”

- 3.2.6 The submitted details indicate that the applicants want to allow 12 – 16 seats (3-4 tables) externally at any one time (see floor plan above).

3.3 Development Plan

- 3.3.1 The Development Plan comprises the Core Strategy and adopted Local Plan Part 2 – Site Allocations and Development Management Policies. In determining the current proposal, the following are considered to be the most relevant policies:

3.3.2 Core Strategy

Policy CS1: A Targeted Growth Strategy

Policy CS16: Form and Design of New Development

3.3.3 Local Plan Part 2

Policy 1: The Urban Boundary

Policy 8: Development and People

Policy 9: Development and the Environment

Policy 10: Accessibility and Transport

Policy 11: Design

Policy 32: Local and Convenience Shops

Policy 33: Protection of Local Facilities

3.4 Other Material Planning Considerations

3.4.1 National Planning Policy Framework (NPPF) – 2018:

The National Planning Policy Framework (herein after referred to as The Framework) is a material consideration in planning decisions. The Framework sets out a presumption in favour of sustainable development, which has three overarching objectives (social, economic and environmental) which are independent and in mutually supportive ways.

- 3.4.2 Paragraph 11 of the Framework explains that for decision taking, this means approving development proposals that accord with the development plan without delay.
- 3.4.3 The 'economic' objective of sustainable development with the social objective both seek to support strong, responsive, vibrant and healthy communities.

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Paragraph 11 of the Framework explains that for decision taking, this means approving development proposals that accord with the development plan without delay.

3.7 Assessment

3.7.1 The three aspects being applied for will all be considered separately;

- The provision of decking and boundary fencing (retrospective);
- The proposed extension to the opening hours of the business; and,
- The removal of the condition restricting the number of people allowed to eat externally at the front of the café.

The provision of decking and boundary fencing

3.7.2 Local Plan Part 2, Policy 11 requires a good standard of design and new development is expected to enhance and reinforce the established character of the locality and demonstrate an understanding of the wider context towards making a positive contribution to the local area.

3.7.3 It is clearly evident that the café has greatly enhanced the appearance of this short retail parade. The enclosure of the front forecourt on two sides by the fencing erected was stark when it was first erected, however, the fencing with its planting has softened the appearance of the fencing greatly, and together with the glazed balustrade along the frontage, it is considered that the structure now appears visually attractive within the street scene (see photo below).



- 3.7.4 The representations received suggest the proposed decking and fencing encroaches on to the adopted highway. The Highway Authority has checked this and have confirmed that these structures are not on highway land.
- 3.7.5 For these reasons, it is thus recommended that Condition 1 be amended to allow the fencing and decking area to be retained.

The proposed variation to the approved opening hours of the business

- 3.7.6 The main issues in relation to this aspect are the impact of the cafe use on the amenities of neighbouring residents in terms of increased traffic, noise and disturbance.
- 3.7.7 Local Plan Part 2, Policy 8 ii) requires development to secure a satisfactory level of amenity and safety for surrounding occupants with reference to noise, vibration, odour, light, dust, other pollution or nuisance, privacy / overlooking, and the relationship between buildings.
- 3.7.8 Local Plan Policy 10: 'Accessibility and Transport', aims to ensure that new developments provide appropriate provision for access, car parking and servicing so as to ensure the safe, efficient and convenient movement of all highway users is not prejudiced. The objections received all raise concerns about the highway safety impacts of the proposals put forward and the conflict of residents and customer on-street parking provision.

Noise

- 3.7.9 In terms of noise and disturbance, the Council's Public Protection team recommends that the hours of use for the outdoor area remains unchanged (Monday to Saturday 08:00 - 16:00, Sundays and Bank Holidays 10:00 - 18:00), in the interests of safeguarding the amenity of local residents.
- 3.7.10 In respect of Sundays and Bank Holidays, the applicants have permission to open until 6pm (18:00 hours) on Sundays and Bank Holidays and they have been operating in accordance with the approved times. It is considered that the extra hour proposed on a Sunday would be extremely difficult to justify refusal of, particularly as 6pm to 7pm are considered to be 'daytime hours' under Public Protection legislation.

Highway Safety

- 3.7.11 Turning to highway safety and the issues raised by the representations relating to customer and residents parking; the Highway Authority raises serious concerns given most residents arrive home between 4pm and 6pm. With the current restrictions during the pandemic, and the move towards more "home-working", it is considered that the proposed increase in weekday opening hours would exacerbate the current customers and residents parking issues that are being experienced. Increasing the opening hours during the working week would lead to cars being pushed in to parking on Preston Old Road, a strategic highway, where the free flow of traffic and the safety of all

highway users is paramount. The proposals for the increase in Monday to Saturday opening hours would therefore lead to conditions harmful to the safety of all highway users, contrary to the requirements of Policy 10.

3.7.12 In terms of the proposed extension to the Sunday and Bank Holiday opening hours by one hour, the Highway Authority consider it would be difficult to demonstrate the harm to highway safety on these days.

3.7.13 Taking the above in to account, it is therefore recommended that the proposed extension to the Sunday and Bank Holiday opening hours is allowed, but the extension to the opening hours of the café Monday to Saturday be strongly resisted.

The removal of Condition 6 restricting the external area to no more than 8 people at any one time.

3.7.14 The main issues in this case are the impact of the new outdoor area on the amenities of neighbouring residents in terms of noise and disturbance. At the time of the previous application, the Council restricted the use of the outside seating area to no more than 8 people. This was imposed due to the proximity of local residents directly opposite and adjoining the shop frontage and the need to minimise noise and disturbance. This seating area was on a more informal basis, i.e. table and chairs on the forecourt area.

3.7.15 Officers consider that the effect an increased number of people eating outside would lead to a further increase in the noise and disturbance local residents identify, and this would prove injurious to the amenity of surrounding residents. As such, it is considered appropriate that the number of people at any one time within the new outdoor seating area remains at no more than 8. For these reasons, it is strongly recommended that Members wholly resist the removal of Condition 6.

4.0 RECOMMENDATION

4.0.1 It is recommended that a **split decision** be issued on the following grounds to;

- **Allow the variation of condition 1 relating to the approved plans to allow the retention of the boundary fencing and raised decking;**
- **Refuse the proposed variation of the opening hours Monday to Saturday;**
- **Allow the variation proposed to the Sunday opening hours; and,**
- **Refuse the removal of Condition 6**

4.0.2 The original conditions will be re-imposed with Condition 1 and 3 varied as follows:

1. This permission relates to the amended plans received on 14 October 2020 reference: TA/PL/01/B, as modified by the conditions of this permission.

REASON: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved amended plans and specifications, as modified by the conditions of this permission.

3. The premises shall not be open to the public outside the following hours:
Monday to Saturday 08:00 - 16:00 and, Sundays and Bank Holidays 10:00 - 19:00.

REASON: To protect the amenities of the occupants of nearby residential properties and the character of the area in accordance with Policy 8 of the Blackburn with Darwen Local Plan Part 2.

5 PLANNING HISTORY

5.0.1 The relevant planning history for the Arches Café is shown below:

| Application Number: | Description of development | Decision | Date |
|---------------------|---|---------------------------|------------|
| 10/18/0417 | Retrospective change of use from A1 convenience store to A3 café-restaurant | Approved by P&H Committee | 20/08/2018 |
| 10/19/0748 | Discharge of conditions 4 and 5 on planning application 10/18/0417 | Approved by P&H Committee | 20/09/2019 |

6 CONSULTATIONS

Neighbour Consultations

- 6.1 19 neighbours were consulted by letter on the application both when the application was initially submitted and again in October on the receipt of the corrected drawings and clarity was received on what variations the applicants sought in relation to the conditions.
- 6.2 As a result of the publicity, 11 objections (including the Livesey Parish Council) have been received and 29 letters of support have been received. These representations are included in this report for Members convenience at Section 8, but can be summarised as follows:

Objections:

- Parking issues affecting the free flow of traffic entering and leaving Kentmere Drive and the wider estate and preventing parking for residents and their visitors outside their properties.

- Traffic backing up on to Preston Old Road
- Visitors to the café are doing dangerous manouvers in the highway close to the junction with Preston Old Road
- The decking encroached on to the pavement making it difficult for wheelchair users, prams and people with impaired vision.
- Noise and disturbance from users of the café and those sat outside.

Support:

- The Arches is a valued community asset and is a community hub.
- The building is visually pleasing
- With the current pandemic it is better for people to be able to dine outside in fresh air than indoors for everybody's safety

6.3 Public Protection

With reference to the planning application I have the following comments:

1. *I recommend that condition No.6 (No more than 8 covers shall exist externally at any one time) is retained and not varied. This will prevent a more intensive use of the outdoor area.*

Reason: To limit noise from the premises and thereby protect residential amenity at nearby homes.

2. *If the Council is minded to extend the hours of opening to 19:00 hrs on Sundays and bank holidays I recommend that this should only apply to customers inside the premises. I recommend that the hours of use for the outdoor area remain unchanged (Monday to Saturday 08:00 - 16:00, Sundays and Bank Holidays 10:00 - 18:00)*

Reason: To limit noise from the premises and thereby protect residential amenity at nearby homes.

6.4 Highway Authority

The Highways Officer has considered the proposals and has minimal concerns relating to the extension of the Sunday opening hours by effectively one hour, given the business currently opens until 6pm. However, they raise concerns relating to the extension of opening hours Monday to Saturday due to the conflict of residents and customer parking.

7.0 CONTACT OFFICER – Claire Booth (MRTPI), Senior Planner
DATE PREPARED – 9th November 2020

8.0 SUMMARY OF REPRESENTATIONS

Objections – Rory Needham, Clerk to Livesey Parish Council Rec 23.10.2020

Details:

Variation/Removal of Condition/Minor Material Amendment - Variation of Conditions pursuant to planning application 10/18/0417; no. 1 (Amend Approved Drawings) to seek retrospective permission for the raised decking and fencing to the front of the premises; 3 (Hours of Opening) to amend the opening hours so that the premises will not open to the public outside the following hours: Monday to Saturday 08:00 to 18:00 hours and on Sundays and Bank Holidays: 10:00-19:00 hours; and removal/ variation of condition no. 6 restricting no more than 8 people at any one time to allow 12-16 seats (3-4 tables) externally.

At

The Arches Cafe

581-583 Preston Old Road

Blackburn

BB2 5HD

The Livesey Parish Council would like to object to the scheme because of the following issues:

- ☐ The decking is encroaching on the public footway section of the frontage making it difficult to wheel a pram or wheelchair across the front of the premises.
- ☐ The fenced section is too high and unsightly.
- ☐ The requested number of tables is too great.

Can you please bring this objection by Livesey Parish Council to the attention of the planning committee.

Comments – Alison Courland, Unknown Address Rec 05.10.2020

I welcome that the council have tried to look at parking restrictions with double yellow lines but in my opinion this has made access onto and off the estate a major problem when the premises are trading ,some days I am aghast at the stupidity and idiotic behavior of the car owners who abandon their cars onto the Kentmere estate pavements and in some instances over residents driveways I personally feel totally sorry for the residents who live within the immediate bottle neck that has been created.

Another issue is that when the premises are open they leave several advertising signs on the footpath on Preston Old Road which apart from being a DDA issue they obscure driver vision when trying to safely pull out of Kentmere Drive as these signs are at eye level, whilst I have commented to the owners of The Arches nothing is done about the removal of these signs.

Whilst I am happy to support any local business in these challenging times I cannot accept a further variation to the trading hours based on the issue of car parking, safety for foot pedestrians and for the safe access onto and exiting the Kentmere estate and for the “Alfresco” lights which no doubt will be illuminated outside the property.

Several years ago the council saw fit to compulsorily purchase a private path that leads from the property at 535 Preston Old Road onto the Kentmere estate based on the need for access I think its time that the council looked at this as a much bigger safety issue that has been created.

Objections – Mr & Mrs Taylor, 17 Kentmere Drive Blackburn Rec 03.11.2020

To whom it may concern

I refer to your letter dated 14 October 2020 relating to the above named retrospective planning application (The Arches Cafe, 581-583 Preston Old Road, Blackburn, BB2 5HD).

I note that permission by the applicants is being sought retrospectively. Surely permission should have been sought prior to the amendments being made? This is the normal route of seeking planning permission. I can only imagine if we made amendments to our property without seeking permission beforehand we would be made to remove the amendments - this should therefore be the case for the applicants from The Arches.

I would be grateful if you could consider the following comments when looking at this ‘retrospective’ application:

- I have submitted correspondence to the council previously on this matter both during the current cafe ownership and during a previous ownership including photographs of the

increased traffic due to the cafe, haphazard/dangerous parking and turning of vehicles directly outside of my property, but this correspondence has mysteriously disappeared. I know it is not common practice to acknowledge correspondence but I would be grateful, due to the issue mentioned above, if this email can be acknowledged.

- The raised decking and fencing has already been installed (without permission) along with lights, barriers and overhead heating, impinging on the residential pavement space, increasing the noise in the residential area caused by al fresco dining, and increasing the number of clients frequenting the establishment, therefore resulting in an increase in traffic affecting the entrance/exit to the estate and the residents living near this. I would also like to point out that one of the council's public rubbish bins has been removed permanently from the front of the building!

- This type of establishment should not be situated on a residential estate - I would suggest that it is more in keeping on the sea front at Blackpool or at least away from residential properties in an area with more parking.

- An increase in opening hours would only seek to exacerbate the issues I have already raised and would impinge even further on our rights to peace and quiet in our own properties as well as safety issues relating to the volume of traffic and parking in the area.

Due to the reasons stated above, the effect on surrounding residents and the fact that this work has been done without having sought prior permission, I would suggest that you consider refusing permission in retrospect.

Objections – Mrs R M Ryan, 71 Kentmere Drive Blackburn Rec 26.10.2020

I wish to add my objection to the licenced business at the entry of Kentmere Drive B/Burn.

They have and are taking too many liberties. Taking most of the pavement area outside the shop, plus they have removed a well used council waste bin.

They are restricting people walking, pram and mobility scooter users who often have to use the road around parked cars which can be there for hours. Dangerous!

I also feel it would hamper any emergency vehicles that need quick access.

They are not the only business and will restrict customers to the shop next door.

Extra opening would not be helpful to residents of the estate. We only have one entrance for in and out. Very difficult at times with parking on both sides and other roads on the estate.

I would appreciate a response to this letter.

Objections – Mr. Stephen J. Sharples, 15 Kentmere Drive Blackburn Rec 26.10.2020

Dear Sir, thank you for your letter dated 14th October 2020. I am writing to you regarding the retrospective Planning Application 10/18/0417 (the Arches Cafe, 581-583 Preston Old Road, Blackburn. BB2 5HD.) extended opening hours, the increase of clients and the building of a raised deck, fencing, barrier, lights and overhead heaters. This I presume is to facilitate Al Fresco dining along with the noise. {Just out of interest are you aware that one of your rubbish bins has been removed permanently from the front of the cafe during the building.} Not forgetting the increase in traffic {one way into the estate and one way out of it} that will accompany the extended opening hours. I get the feeling the applicant for the planning permission is getting the said application through by stealth, by submitting a series of Retrospective Applications after the work has been done, I may be wrong but I think you might look long and hard at this Planning Application because it is making life very difficult for the surrounding residents.

Objections – Mr.& Mrs.J.Garrity, Wythburn Avenue Rec 20.10.2020

With reference to the above application at The Arches Cafe Preston Old Rd.

We are residents on the estate involved and would like to list the following with regard to the safety of ourselves and others. We feel that this is a residential estate and not a suitable place to be running a cafe from.

1. Numerous vehicles parked at the entrance to the estate could be a danger for the access of emergency vehicles.
2. The cafe have taken up most of the pavement with the decking making it extremely difficult for wheelchair users, prams, and people with impaired vision.
3. Decking appears to be a permanent fixture although they are stating it is temporary.
4. Cars of customers are seen doing u turns at entrance to estate into peoples drives, dangerous practice.
5. The waste bin has been removed encouraging litter to be thrown around.
6. The bungalows opposite the shop unable to park outside their own houses due to traffic for cafe.
7. Traffic backing up on to main road with cars and vans trying to get out of the estate from the cafe as traffic is trying to get in. This can be dangerous for traffic travelling along the main road.
8. There is no car park available for customers. Three car parking spaces on lay-by in front of shop which is shared by the shop next door. This is by no means adequate.

Objections – Colin Ashcroft, 4 Kentmere Drive Rec 19.10.2020

I have recieved a letter asking if I wish to object to changes to The Arches. I spoke at the original retro-spective application, which seems to be a theme. The person running the business alters his place then puts in for permission through planning, and gets it passed.

This is the third time I have objected, which appears to get ignored. The reason is still the same, Parking. There are only 3 spaces for 3 shops. It was said the cafe/restaurant was the hub of the community. If so everyone could walk there, but I've seen on occasion 4 cars turn up with 4 women in separate cars with Chorley harriers track suits (not local) all parking on the estate. Some curiously others actually on the new yellow lines (don't go far enough).

The original planning said no permanent structure. There is now 2 6 foot fences, more tables & chairs (2 8 places originally), a raised decking with glass front all covering the footpath. The bin

blocking the footpath has been removed (without permission) so as not to totally block the footpath. Bill boards are placed on the pavement (illegally I believe) every day of opening.

Fortunately the hairdressers is not open yet, due to refurb. or there would be even more parking chaos. I have lived here 24 years now & since the shop has been opened, I am now getting Rats in my garden & I am not the only one. I have a dog and usually they don't go where there is a dog. The changes made at the shop, which though look nice, do not take into account wheel chair access both in & past the shop if cars are parked. You now have to walk in the road, which if they are parked both sides (most often when busy) you are nearly run over because it is only wide enough for one car.

The shop was supposed to display a sign, saying be courteous to neighbours which was in the window, but now replaced by covid & 2 meter distance signs. I have also noticed that when the Christmas tree is put up, it is usually August before it is removed. The food may or may not be good. I will not be eating there due to the position of it. I would go to a restaurant, with a car park. There are also people stood blocking the pavement waiting for bacon butties, also due to covid. The residents, taking their children to school have to maneuver around the people wait blocking the pavement (not ideal in this climate).

So yes objection no.3. I would love to know if my concerns are listened to or even the outcome of the appeal (because your website is impossible to find it)

Objections – Chris Norse, Unknown Address Rec 23.06.2020

With reference to the above planning application, I have the following concerns –

1. Kentmere Drive has only 1 entrance/exit, so it is crucial that the junctions are kept clear at all times to allow access for emergency vehicles and residents.
2. The application to stay open for longer hours (i.e. till 6:00pm Monday – Saturday and 7:00pm on Sunday) could cause problems for residents, especially those living opposite and adjacent to the café. With regards to parking, the statement “there have not been any problems” is not true, hence a request for double yellow lines. The application to open till 7:00pm could be followed by a further application to open until 10:00pm thus giving the café a pub image.
3. The newly painted yellow lines would have served more purpose if they had been painted at both ends of each side of the junction for a length of 10metres as stated in the Road Traffic Act. At present any vehicle can park with 5.5 metres of one of the junctions.
4. The standard of workmanship on these newly painted double yellow lines is very poor, with areas already worn off.
5. I have no problem with the café business itself, it is the inconsiderate customers who park causing dangerous conditions that is the problem. The area is not suitable for the number of parked cars the café can attract. There are only three designated parking places which have to serve both the café

and the hairdressers next door. Parking on Preston Old Road also causes problems as it obstructs the view of traffic trying to enter Preston Old Road from Kentmere Drive.

Objections – Michael Fawcett, 10 Kentmere Drive Rec 23.06.2020

Good afternoon

At the present time cooking smells pervade into our garden making it unpleasant to sit out. An increase in opening hours will only make this worse.

There is the ever present noise levels with car doors slamming and turning in the private road to the rear of the cafe this will increase with extra opening.

The patrons turning round in private driveways and parking problems are likely to multiply and access to the estate compromised.

I hope careful consideration is given to these points and the effects on nearby residents.

Objections – Mr David Taylor & Mrs Eileen Taylor, 17 Kentmere Drive Rec 22.06.2020

Further to the above application, we hereby wish to lodge an appeal with regard to the extension of the opening hours at The Arches Cafe, 581-583 Preston Old Road.

Although the address states Preston Old Road, the cafe is situated at the entrance to the Kentmere Drive housing estate, which is wholly a residential area.

Traffic on and off the estate and parking has already proved an issue ever since this property has been an eating establishment. Complaints have been logged previously by ourselves and other neighbours regarding this issue. To this end, pictures have been sent into the council and the local councillor about the traffic issues and the danger caused by the number of cars parking near to the cafe. We anticipate that this will only get worse should the cafe opening times be increased. The amount of traffic and the haphazard parking is a health and safety risk - god forbid if an ambulance or fire engine had to access or egress the estate when the cafe was busy!

Double yellow lines have already been placed near properties close to the shop, but this only sets to shift the parking problem elsewhere, which will directly affect the area outside our property. We already have major issues with cars, lorries, artic vehicles etc turning and reversing directly outside our house, and strongly feel that the issue will be exacerbated with the increase of traffic to the cafe. Furthermore, with the increase in traffic comes an increase in noise pollution in and around the area, further disturbing the local residents.

We strongly request that you reject the application to extend the cafe opening times. We would be happy to discuss my points in further detail if so required.

Objections – Colin Ashcroft 4 Kentmere Drive, Rec 04.06.2020

To Mr Prescott,

With ref. to application 10/20/0453 the arches wishing to extend opening hours. I would like to object. It says in the application there have been no complaints about the shop, possibly true. It is the people who come to the shop in their cars that have caused the complaints. Seventeen residents objected originally, because of parking, two were for the shop.

The residents close to the shops have had cars damaged and been abused, when asking patrons in their cars to respect the residents and park legally. They have had driveways blocked and double-parking, blocking the road/junction. The council has now put yellow lines on the junctions, due to complaints from residents/parish council. These by the way are not long enough.

The original application said the shops were the hub of the community. If this was true, there would be no problem, people would be walking to the shop instead of driving in cars/trucks/lorries. There are three spaces to park for the shop.

Since the Virus and the shop has been shut, there has been no problems with cars/lorries. As the virus has not gone away. People who are not local will be coming to the shop queuing outside, blocking what's left of the pavement, due to the tables from the shop already blocking it.

There is only one way on and off the estate and should there be a need for emergency vehicles to get through, there will be a problem. There are enough pubs in the area that would have been more suitable for this venture, with parking, that have closed. It is unfortunate there is no parking, but that is why you plan where you have a restaurant/cafe, not do it then apply for planning after.

I have lodged my objection, but don't expect it be taken notice of, as before, and like the residents on Tower Rd. Most of them didn't want houses on their Green.

Support – Tony & Sue Fry, Unknown address, Rec 29.10.2020

We wanted to express our support for the arches restaurant in its planning permission application to have their hours extended and eat alfresco. This establishment is a real enhancement to our area and to the visual impact. The safety during the pandemic has been spot on

Support – Eloise Howarth, Unknown address, Rec 21.10.2020

Good morning

I am writing in reference to the application reference no. 10/20/0453.

Being able to dine outside in your own local area during the covid 19 pandemic makes for a much safer dining environment and one which myself and I'm sure all other residents would much prefer.

The dining area looks really attractive to the area and I think adds a lot of visual improvements

Support – Sue Walker, Unknown address, Rec 21.10.2020

I wish to support the application for planning ref 10/20/0453 I feel the Arches have provided a safe environment for people to enjoy eating out and meeting family and friends during the pandemic ensuring safety and security to customers. The improvements have a visual impact on the area and I feel it is an asset to our area.

Support – Pete and Margaret Fullalove, 8 Springfield Ave, Rec 16.10.2020

To whom it may concern.

We write in support of the The Arches, Feniscowles, Blackburn. In their application to vary their hours of trading and for the alfresco dining area.

The Arches provides quality wholesome and home cooked food with excellent personal service. They have put into practice the required Covid safety regulations as per government guidelines. Being able to vary their hours will enable this thriving and valued business to survive in the current environment of restrictions.

The newly developed alfresco dining area adds a relaxed outdoor experience contributing to Covid safety measures for those wishing to dine outside. This tastefully renovated area adds colour through the flowers and adds to the visual appeal of the frontage of the building.

Following the closure of the Oyster and Otter . The Arches is the nearest cafe/restaurant offering a quality service and is a valued community asset

I am writing to you to show our support for the Arches cafe in Blackburn. They have with great effort and expense created a pleasant and safe environment for dining out. On a recent visit with my Brother who was very anxious after spending six months shielding due to health problems, was able to relax with all the precautions in place, with a choice of sitting inside or out. We are now happy to visit on a regular basis. We can't praise the efforts of Sharon, Simeon and the team enough for all their hard work. We would hope you will be seriously considering their application to help them through these unprecedented times and to come through and flourish on the other side.

Support – Sue, 131 Lytham Rd, Rec 12.10.2020

I am writing to you to support the planning application of The Arches @ Feriscoverles Blackburn.

The Arches provides a much needed asset to the local community + beyond, by providing a take away service and a good dining facility. The improvements to the venue of additional seating, a visual impact to encourage customers to drop by / book in, extended hours of trading, or hours to accommodate the local community need would be advantageous to promote social inclusion and communication within + around the locality.

The Arches adheres to all covid guidelines and safety measures, health and safety guidelines and high standards of food hygiene + cleanliness. The venue has and continues to be an added bonus in the local community.

Sue De Krom (see above)

Support – Christine Greenwood, Unknown Address, Rec 12.10.2020

We are in support of the application for varied hours of trading for the Arches. Since the pandemic we have seen the work Simeon and Sharon have been doing to their business, and it is outstanding and a credit to them, and the Arches is a success, as it is always in demand, its like a community hub, all guide lines have been adhered to, the food is of good quality, and Simeone and Sharon, and their lovely staff work very hard and put everything into their business.

Support – Helen & Paul Earnshaw, Unknown Address, Rec 12.10.2020

We are writing in support of The Arches Coffee Shop's plans to vary their hours of trading and erect the al fresco dining area at the front of the shop. This has not only allowed them to continue to serve their customers safely during these uncertain times but has also greatly enhanced the visual impact of the business. We wish Simeon and Sharon all their best with their plans and hope you will take into consideration the positive difference they will make.

Support – Michael & Beryl Jackson, 590 Preston Old Rd, Rec 09.10.2020

3 Arches Cafe

As a neighbour of this Cafe / we live 150 yards away) we very much support the application for the Cafe to vary its hours of trading and a al fresco dining area.

This establishment is run by mature people who would ensure surrounding neighbours doubts are dispelled

Support – Susan Piddington, 4 Cecilia Road, Rec 09.10.2020

I am writing to support the application of the Arches coffee shop to vary their hours of trading and the al fresco dining area.

I feel completely safe when visiting, hand sanitizers readily available and social distance adhered to at all times.

The outside area is lovely, it is visually superb, with newly improved decking and lighting and the heat lamps for the cooler days.

I and my friends like to walk up to the Arches with the dogs, and sit outside with a coffee, and at other times we go for lunch.

I feel the area has been enhanced by the arches and the improvements they have made, and in these hard days we need to be thankful that lovely places like this

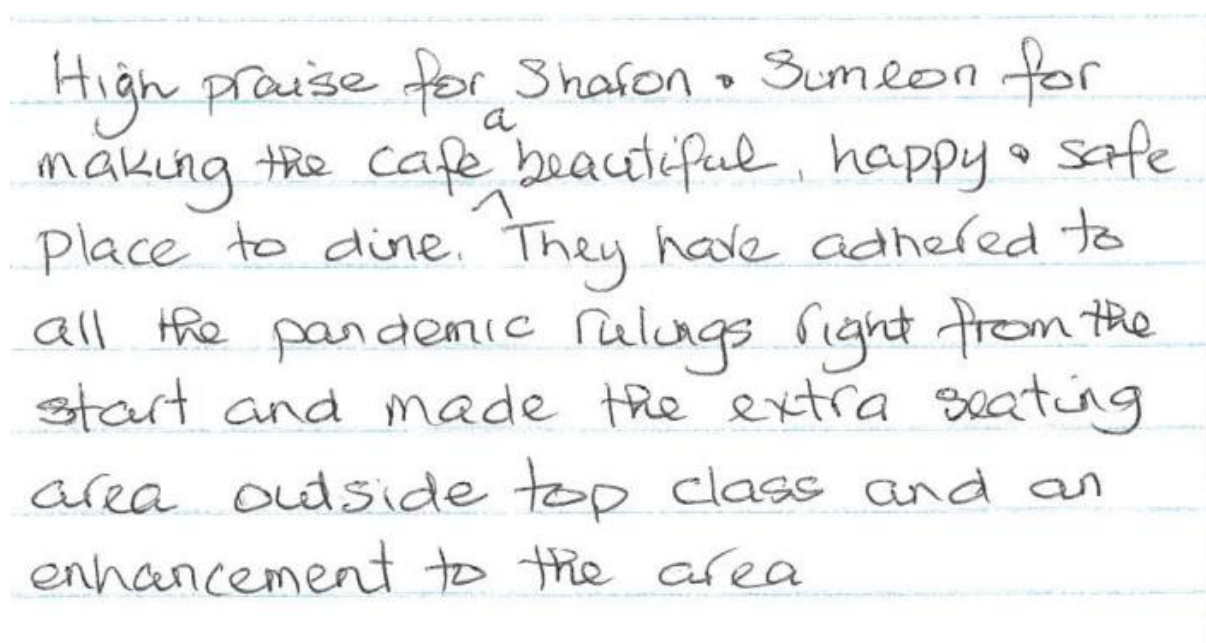
are open for our enjoyment

Hope their application is successful

Support – Mrs B Walton, 18 Livesey Hall Cl, Cherrytree Rec 07.10.2020

I would like to support the application made by the Arches on Kentmere Drive The outside seating area at cafe is very tastefully done and much improves the look of the whole building . For me personally I enjoy having my coffee and food outside for 2 reasons I am over 60 and during these times I feel more comfortable having my coffee and food outside.I also have dogs and it encourages me to walk further because I know I can rest and have a drink . So I feel safe and I am exercising more

Support – Joan Walker, Unknown Address, Rec 07.10.2020

A photograph of a handwritten note on lined paper. The text is written in cursive and reads: "High praise for Sharon & Sumeon for making the cafe^a beautiful, happy & safe place to dine. They have adhered to all the pandemic rulings right from the start and made the extra seating area outside top class and an enhancement to the area". There is a small upward-pointing arrow under the word "beautiful".

High praise for Sharon & Sumeon for making the cafe^a beautiful, happy & safe place to dine. They have adhered to all the pandemic rulings right from the start and made the extra seating area outside top class and an enhancement to the area

Support – Mrs Audrey Clark, Unknown Address, Rec 06.10.2020

I am Mrs Audrey Clark and I wish to support the application by the owners of The Arches restaurant and bar at Feniscowles, Blackburn, to vary their hours of trading and for the al fresco dining area, reference number 10/20/0453, so that they can provide safely distanced seating for all their customers, The owners are very conscious of the need to improve visual impact and safety during the pandemic.

Support – Mrs Kathryn O'Malley, 80 Woodlands Avenue, Cherry Tree, Rec 06.10.2020

I would like to contact you with regard to the above planning application and to offer my support for this the changes have made the property very attractive and appealing visually and will allow customers to enjoy eating there safely during the current pandemic as it allows outside eating which reduces risks and allows proper spacing of the tables to meet covid safe rules and I fully support the application.

Support – Rachel Norris, Unknown Address Rec 05.10.2020

I am writing to support the planning application for the extension of the hours of opening. It's a brilliant cafe for the community and is thoroughly enjoyed by not only the residents in the surrounding area but people from further afield.

The owners have improved the cafe to a high standard creating a beautifully well presented cafe, that is very aesthetically pleasing, whilst following covid safety regulations in line with government guidelines.

I hope you allow this application to progress for the greater good of the community.

Support – Louise Child, Unknown Address Rec 05.10.2020

As a resident of the cherry tree area I would encourage the outdoor area at the arches cafe, it looks great what they have created outside and with the current pandemic I think it is better for people to be able to dine outside in fresh air than indoors for everybody's safety.

Support – Michael and Heidi Rigby, Unknown Address Rec 05.10.2020

To whom it may concern,

The Arches Café and Restaurant has been the best thing to happen to the feniscowles and cherry tree area in years.

The council should support them with any and all of their plans for expansion and variance to opening hours.

If only there were more businesses like this the area would be a much better place.

The community needs more eateries and leisure facilities with the arches being used as a wonderful example.

Support – Pamela Bedwell, Kentmere Drive Resident Rec 05.10.2020

I am writing in support of the above planning application for extended opening of The Arches in Cherry tree.

The owners have worked tirelessly for the Cherry tree and Feniscowles community and beyond to provide a wonderful place to eat and drink.

During our Coronavirus lockdown they provided a much appreciated takeaway and delivery service.

They have made the Arches visually very pleasing on the eye with lots of flowers and now provide al fresco dining on their beautiful decking area.

Also since being able to open after lockdown they are COVID secure with sanitising, face masks and track and trace. All this and still being respectful of the neighbourhood asking customers to be aware of parking as not to upset the local residents.

I am sure the extended opening would be gratefully received by a great number of people as The Arches is a wonderful place to visit.

Support – Lian Rose Frankland, Unknown Address Rec 05.10.2020

My word . The arches cafe is just bob on.

I've just driven past and then had to stop to go in.

The lights look great. Pretty, classy ... so welcoming and calming .

It's become even more important for home made food being served and to be able to go somewhere pretty, clean and fun with my family especially during the pandemic.

The food is fab. Processes safe. I've felt safe eating in, getting a take away and the staff are very clear with the processes- suitable clear signage - ppe.

It would be super to have the opening times to be longer .

We can nip for food and drink . We all need cheering up in a safe, pretty setting with home cooked healthy foods.

Support – Susanne Higgins, Unknown Address Rec 05.10.2020

To whom it may concern

I am writing to support this application to extend opening hours and make provision for alfresco dining. This is a thriving small business and they need to adjust how they operate in these difficult times. The business is run by a hard working couple who are considerate of the neighbourhood. They provide good quality food in an out of town area. The council should positively consider this application to assist a good business to survive these difficult retailing/hospitality circumstances. Approving these changes will enable them to continue to trade and to make sure they provide their services in a Covid Secure manner.

Support – Carole Slater, The Stables, Bury Lane Rec 05.10.2020

The Arches is one of the few places where there is first-class food and first-class customer service. It is also one of the most attractive and inviting businesses in the area.

The first-class customer service provided during the Covid-19 pandemic, with meticulous attention to current restrictions, including social distancing, has made The Arches somewhere where you feel 'safe' to drink and/or eat and in a pleasant and relaxing environment.

Because the inside seating area is not expansive this customer service does, however, come at a cost - it reduces the throughput of customers and therefore not only limits access by customers to a great place, but also limits The Arches' income at what is already a difficult time.

Granting the proposed alterations would benefit customers and support The Arches to remain viable.

Therefore, I fully support this application in all respects.

Support – Daryl Peter, Oakdene, Chorley Road Rec 05.10.2020

May I write in full support of the improvements being proposed for the above. When you consider the state of the building and shop that was previously on this site, it is amazing how much better it now looks and how it has lifted the area. It is clear the proprietors are absolutely committed to delivering a lovely local and personal community service. And so to give them the opportunity to further develop, especially in these awful times for businesses and the hospitality sector in particular, it will be a much welcome success story.

The work undertaken by the proprietors is deserving of any benefits they can accrue. You can see just from the prices they charge and the quality of the food they service, that they are not

mercenary, high priced money makers. Their focus is the customer and the value they give to customers is immense.

They have made the outside of the building truly charming and inviting whether the shop is open or not. This could easily have been ignored but it is always full of colourful and natural looking plants and flowers. Their image design and logo is really low key and yet so effective and they just blend in with the surroundings leaving the flowers to give all the brightness of colour. It is always immaculately clean both inside and out and whenever I have been in, there have been no issues with social distancing and they have a system to ensure the restrictions are applied within the shop.

I am passionate about healthy living and encouraging people to eat good properly cooked fresh food, and this place is second to none in my opinion. They are one of the few places where you can say 'takeaways are healthy'. Hence it is businesses like this that need to be encouraged as they support the initiatives to combat obesity and other diseases which we know are prevalent. You can tell they use fresh produce and cook from scratch and so show people how healthy food can taste so good which again is what needs to be encouraged from school aged children upwards.

Obviously as stated earlier, current COVID restrictions have had a decimating impact on this sector and from a model of having a groups in a close environment, we now have to recognise the need for more space and the use of more 'al fresco' activities. Unfortunately, the business model of tea shops was never about space but was about closeness and friendliness which has now been turned on its head. So allowances have to be made to give them the space and extended opening times needed to work in the new arrangements within the national restrictions whilst still being that community hub.

The Arches is well positioning being a little out of town and so is a great meeting place for friends and family (observing current restrictions but these will not be around forever so we must also be cognisant of the future). Furthermore, this location is surrounded by great places for walkers, including the proximity of the canal, and the Park. Similarly, it is in an ideal place for groups of cyclists passing on the main road. So they are a facility for both experienced and moreover for people who are just taking up activity, maybe those encouraged through lockdown. To be able to stop for a break, and sit outside in a windproof area is ideal and will really encourage more activity which again is a key message of the health strategy going forward. With the more inclement weather approaching, this will be really useful.

In these current times, councils have a responsibility to support all businesses as they are the source of employment and revenues for the local area. I don't expect this shop to be a large employer but it does employ staff and moreover has the younger staff and so any opportunity to further this must be supported.

Therefore, in conclusion, I would like to fully support all the developments applied for by the proprietors for which an application is being considered.

Support – Lorraine, The Buckley Family Livesey Branch Road Rec 05.10.2020

As a resident of Feniscowles I would like to give my support to the planning application of The Arches Cafe. The improvements they have made to the inside and outside are asthetically pleasing and make the area look much nicer. I feel completely safe from Covid when I visit and feel they are making every effort possible to keep customers and staff safe. This cafe is very well supported and respected in the area and is a much needed service. We fully support this application and urge the council to do so.

Support – Mr . E Lomas, Unknown Address Rec 05.10.2020

I have been a patron of the Arches since they first opened for business. I have seen that they are seeking support in this time and wish to write to this effect.

I have witnessed the business grow each year and can state, with whole hearted honesty, that it has never looked such an appealing place to visit. They have produced an aesthetically supreme dining area that has improved the visual impact of the locality. This work has also allowed them to provide extra safety for diners during the covid 19 pandemic. Please note their hard work in creating such a beautiful outdoor space.

I believe that this small, local business has gone above and beyond in their efforts to safely continue providing such a stunning service to the local community. I would ask that you take heed of the tireless efforts undertaken by this family run business during such difficult times where livelihoods are at risk.

Support – Alan Bedwell, 21 Kentmere Drive Rec 05.10.2020

I am writing to support the application by The Arches, for a slightly later closing time. As a very nearby resident (approx 150 yards away!), I fully appreciate their efforts to improve the local community, by providing a wonderful service in these dark times. Pre- Covid, the Arches was a good place to meet and eat. Now it is an important part of so many peoples' lives. The owners kept going during the Lockdown by providing a takeaway service. Now, so many people go there to 'take a deep breath,' and relax, eat wonderful food, knowing that all sanitary and safety measures have been taken. Unfortunately, due to spacing requirements, fewer customers than normal have been able to take advantage of this service, so it is sensible and logical to ask for slightly longer opening hours. More people, therefore, would benefit.

The requested finish time would not cause any problems regarding disturbances. Most customers are on the wrong side of 40 years, with many being over 60. NOT an issue!

In relation to parking, every effort has been made by The Arches to ask customers to park sensibly, preferably on the main road. This seems to have worked very well. Customers have parked outside my house on occasion. NOT a problem, they pay their car tax! My drive has never been blocked.

Recently, the owners have ploughed their own money into improving the outside eating area. Hope you've seen it. Beautiful! How good is that for raising the community appearance and standing?!

Apologies for rambling, please allow the application.

Support – Neil Rutter, Unknown Address Rec 05.10.2020

I have been eating at the Arches since they opened, and love the place. This small business really makes a great hub of our community. The owners and staff go above and beyond, and I hope they are around for years to come. If you have never eaten there I could highly recommend it, as others would too. Since they have taken the shop on, they have improved the aesthetics and continue to. They have complied with the covid laws, and hope you support them with their plans to make further improvements. I feel this eatery is a great asset to our community.

Support – Toni Campbell, Unknown Address Rec 05.10.2020

Re: Improvements to visual impact and opening times during pandemic.

I am very impressed with the way The archers cafe Blackburn have made improvements to keep the public safe during pandemic. I would like to support the increase of opening hours as it would be beneficial to all concerned and would really lift the spirit of the local people.

The improvements they have made to the venue is outstanding, I feel very safe using the facilities and I really hope that the opening times can be extended.

Many thanks for your time.

Support – Lucy Slater, Unknown Address Rec 02.10.2020

I support the application made by The Arches in Feniscowles to vary their opening hours.

They have made significant improvements to visual impact and have gone above and beyond to prioritise customer safety during the pandemic.

Support – Angela McKay, 97 Old Gates Drive, Rec 29.09.2020

Hello,

I wish to support the Arches Cafe in their application to stay open until 6.30 p.m. The cafe is an important hub and meeting place especially for those of us in the local community. It is the only place, within walking distance, where those of us who are living alone and getting on in years can get a healthy and nutritious meal without having to resort to public transport. It would be particularly advantageous if it could stay open until 6.30 p.m. thereby enabling us to have an afternoon tea/ coffee and cake or an evening meal either sitting in or as a takeaway. As a regular user I would be delighted if I could stroll down in the afternoon without having to worry about having to leave before 4.00 p.m. Please look favourably on their application; it is a much needed resource in these difficult times.