

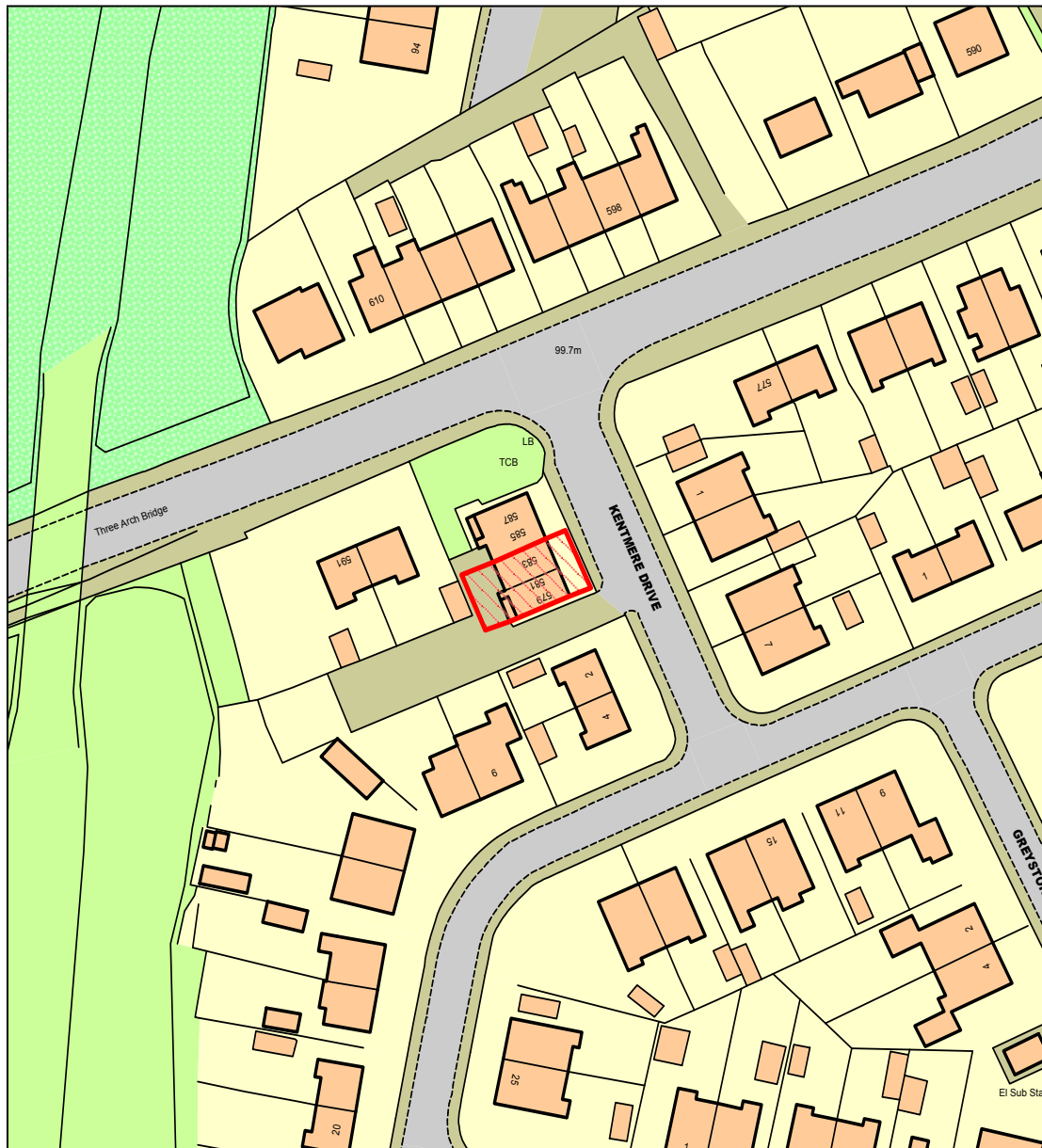
Proposed development: Full Planning Application (Retrospective) for Retrospective change of use from A1 convenience store to A3 cafe-restaurant

**Site address:
The Arches
581-583 Preston Old Road
Blackburn
BB2 5HD**

Applicant: Mr Simeon Stuttard

Ward: Livesey With Pleasington

**Councillor Derek Hardman
Councillor John Pearson
Councillor Paul Marrow**



1.0 SUMMARY OF RECOMMENDATION

1.1 APPROVE – Subject to recommended conditions (see paragraph 4.0).

2.0 KEY ISSUES/SUMMARY OF PLANNING BALANCE

2.1 This application is presented to Planning 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 applications received.

2.2 The Government supports the change of use of A1 retail buildings to other uses in the Retail Use Classes (A1, A2, A3). Had the applicants notified the Council prior to opening the café, an application to change its use would not have been required and this business could have operated with no planning control.

2.3 The proposed café has provided a social hub in the local area which is within walking distance of many properties. The shop front replaced a plain and its attractive shop front with associated planting has enhanced the historic shopping parade.

2.4 The proposal is also satisfactory from a technical point of view, with all issues having been addressed through the application, or capable of being controlled or mitigated through planning conditions.

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.

3.1.2 The small retail parade contains hairdressers, 'Permutations' and the business the subject of this application, the 'The Arches' cafe.

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 The buildings in which the hairdressers and café both occupy are located on the entrance/ exit road to and from the Kentmere Drive estate.

3.1.5 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 is on-street.

3.2 Proposed Development

- 3.2.1 Retrospective permission is sought to regularise the existing use of the two former retail units as a single café-restaurant use (A3 use).
- 3.2.2 The opening hours proposed, as amended during the application, are Monday to Saturday 08:00 to 16:00 hours. On Sundays and Bank Holidays 09:00 – 16:00.
- 3.2.3 The café seats 30. Externally the business currently has three small outside tables for 6-8 covers. This outside seating area is open to the elements so is used when the weather permits.
- 3.2.4 To the rear of the property exists an area for the storage of refuse and access to a flat roof garage which is rented annually from the owners of the adjoining hairdressers. This garage provides one parking bay for the business owners and also storage for the café business.

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' objectives of sustainable development with the social objective to support strong, responsive, vibrant and healthy communities.

3.5 Assessment

3.5.1 In assessing this application there are a number of important material considerations that need to be taken into account as follows:

- Principle of development;
- Highway Safety;
- Amenity impact;

3.5.2 Principle of development

Section 6 of the 2018 National Planning Policy Framework requires positive planning to help create the conditions in which businesses can flourish, expand and adapt.

3.5.3 Paragraph 91 of the Framework requires planning policies and decisions to achieve healthy, inclusive and safe places which, amongst other things, promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other. Paragraph 92 requires plans and decisions to provide the social, recreational and cultural facilities and services the community needs, and to plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments.

3.5.4 Local Plan Part 2, Policy 32 deals with local shops and whilst it does not talk about retention of retail facilities it does support the creation of retail shops in areas where similar premises exist, as is the case here.

3.5.6 The letters supporting the application state that the café has become an important community hub and facility for local residents and from the various site visits Officers of the Council have made to the site this appears to be an accurate assertion. The retention of this café facility is there acceptable in principle.

3.5.7 Moreover, the previous uses of the two units are a material consideration. One unit was a convenience store with opening hours and an alcohol licence until 11pm with the other unit being a sandwich shop with unrestricted opening hours. This retrospective proposal seeks to open Monday to Saturday 08:00 to 16:00 hours and 09:00 – 16:00 on Sundays and Bank Holidays and these opening hours can be restricted by condition.

3.5.8 It is noted that in general local residents support the business, however, it is the disruption caused by parking on the highway which causes disruption and concern. This will be discussed next.

3.5.9 Highways and Access

Core Strategy Policy 22: Accessibility Strategy and Local Plan Policy 10: Accessibility and Transport, aim 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.

3.5.10 In accordance with the Council's parking standards, six parking spaces should be provided with a development of this nature and size. The submission does not offer any parking within the curtilage. As a result, the Highway Authority and other Officers have visited the site on numerous occasions at various times of the day to both observe parking numbers on the highway, and also to assess the concerns raised by the objectors which include preventing the free flow of traffic at the only point of access and egress to the Kentmere estate, cars parked on the pavement preventing both the movement of pedestrians and restricting residents visibility when entering and leaving their properties.

3.5.11 The Highway Authority advise that they observed minimum parking on the highway, with cars parked in the layby in front of the premises, and a few on the highway. On one of the visits, which was at the request of a resident at lunchtime, there were more vehicles parked on Kentmere Drive, which did not cause an obstruction to the road, although they did hinder the pedestrians as vehicles were parked $\frac{3}{4}$ on the footway. Whilst this is the case, the Highway Authority do not consider the conditions created by customer parking to both the café and adjoining business to be so detrimental to highway safety to justify refusing the application on this basis.

3.5.12 Although this is the case, the owners of the business are fully aware of the inconvenience some of its customers parking leads to and make steps to encourage people to park sensibly. It is recommended that these steps are formalised by the applicants being asked to provide a Parking Management Statement which will require the applicant to put signs up with regards to the customer parking and make customers aware of the need to park with consideration. The business website/ online presence can also be used to encourage considerate parking. A condition is therefore recommended that an active Traffic Management Statement and Co-ordinator is in place for 5 years. Details of this statement shall be submitted to and agreed in writing by the local planning authority within one month of the decision date. The

agreed details shall be implemented also within one month of the decision date.

3.5.13 Amenity

There are two types of amenity, visual and residential. This section will deal with each in turn.

3.5.14 *Visual Amenity*

In respect of visual amenity, Local Plan Part 2, Policy 8 i) states:

“Development will be permitted where it can be demonstrated that: i) it will, in isolation and in conjunction with other planned or committed development, contribute positively to the overall physical, social, environmental and economic character of the area in which the development is sited”

3.5.15 The shop front provided at the café is a definite improvement on the appearance of the two previous shop fronts and contributes positively to the overall environmental character of the area on this part of Kentmere Drive. It is therefore considered that the retrospective proposal complies with Policy 8 i).

3.5.16 *Residential Amenity*

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.

3.5.17 In respect of Noise, the close proximity of neighbouring homes and residential character of the location are both important considerations.

3.5.18 The applicants initially proposed to open until 11pm and create an enclosed seating area for ten tables of 4 covers. This was considered to have an unacceptable impact on the amenity of all nearby residents. The applicants therefore seek permission for the opening hours of Monday to Friday 08:00 – 16:00 and 09:00 – 16:00 on Sundays. The applicants wish Members to know that on Sundays they currently open until 18:00 hours as they serve Sunday lunch and that they are willing to concede these two hours to gain retrospective permission for this use.

3.5.19 The revised opening hours are considered to be appropriate daytime hours, particularly during the week when most residents are out at work. In terms of weekend opening hours, it is considered that Sundays particularly are when most residents are at home and should be entitled to less disturbance than other days of the week. The Environmental Protection team has therefore advised that starting at 10:00 hours on a Sunday would give local residents some reprieve from the disturbance caused by visitors to the café. It is therefore recommended that these suggested opening hours be imposed.

3.5.20 In respect of the retention of the existing tables outside, of which there are three small tables which seat six - eight people. Whilst a formalised external seating area was not supported by Officers which could have had up to 32 covers, the retention of the three small tables with no more than 8 covers in total is reasonable, particularly during the suggested opening hours, discussed in the following paragraphs. This could be controlled by condition and such a condition is duly recommended.

5.2.21 Turning to odour and pollution, the kitchen area does not appear to have an existing kitchen extraction system and one has not been identified on the submitted plans.

3.5.22 In February 2018 a colleague from the Food Team visited the premises and noted that the atmosphere in the Kitchen was very smoky and that the extraction should be improved. It is therefore recommend that the a condition is imposed requiring that within 6 months of the date of decision the applicant shall either obtain a written statement from the Local Authority's Business Compliance Team confirming that the current level of odour and fume extraction is adequate; or, submit a scheme for the control of cooking odours and extraction system noise from the premises. This scheme would need to be agreed in writing by the Local Authority, implemented and retained thereafter. Such a condition would ensure the amenity of nearby residents of nearby residents would not be affected by odour.

3.5.23 With regards refuse storage, this exists to the rear of the premises and adequate provision is provided for.

3.5.24 Taking account of all the above, subject to the opening hours restricting the use to the following times:

Monday to Saturday: 08:00 to 16:00

Sunday: 10:00 to 16:00;

No more than 8 covers related to the outside seating area at the front of the café, and details being received relating to the control of cooking odours, the retrospective proposal is considered to be acceptable.

4.0 RECOMMENDATION

4.1 Approve subject to:

Conditions which relate to the following matters:

- Opening Hours:
Monday to Saturday 08:00 – 16:00 and,
Sundays and Bank Holidays 10:00 – 16:00.
- No more than 8 covers outside at any one time

- Extraction being submitted, approved and fitted, or, a Certificate being received from the Environmental Protection/ Food Team confirming odour levels are acceptable.
- Traffic Management Statement and Co-ordinator for a period of 5 years. Details of this statement shall be submitted to and agreed in writing by the local planning authority within one month of the decision date. The agreed details shall be implemented also within one month of the decision date.

5.0 PLANNING HISTORY

5.1 There is no planning history for 581 Preston Old Road.

5.2 The following planning history exists at the site for 583 Preston Old Road:

Application Number:	Description of development	Decision	Date
10/87/1567	Use of shop as hot food take-away	Refused	12/11/1987
10/90/2051	Use of premises as Chinese hot food takeaway	Refused	10/01/1991

6.0 CONSULTATIONS

6.1 Neighbours: - 16no letters of objection have been received during the consultation process. Below is a summary of the objections received. The objections are set out in more detail in Section 9 of the report.

- Lack of off-street car parking
- Highway safety
- Noise
- Concern over the proposed opening hours

In addition, 2no letters of support have been received. Below is summary of the reasons for the support. The supporting letters are set out in more in Section 9 of the report.

- Asset to the local community
- Popular meeting place
- Excellent facility

6.2 Public Protection

No objection; subject to the following conditions:

Noise

- Opening hours to be limited to between 8am-4pm Monday-Saturday and 10am-4pm on Sundays and Bank Holidays.

- Restriction on external seating with no more than 8 people being seated outside at the front of the café; and,
 - Kitchen Odour / ventilation Condition:
No more than 6 months from the date on this consent the developer will either:
 - Obtain a written statement from the Local Authority's Business Compliance Team confirming that the current level of odour and fume extraction is adequate; or
 - Submit a scheme for the control of cooking odours and extraction system noise from the premises. This scheme will be agreed in writing by the Local Authority, implemented and retained thereafter.
- Reason: To prevent a loss of amenity at neighbouring premises caused by cooking odours and/or extraction system noise.

6.3 Highways Authority

No objection subject to the following condition:

- Submission of a Traffic Management Statement and Co-ordinator.

6.4 Parish Council

"At the May 2018 Parish Council Meeting councillors expressed their concern at the lack of parking around this area when this restaurant will be in use. There are issues with people parking on both sides of the road and local residents find it hard to get through to their homes. Can you please ensure that there is a solution to the parking/congestion issue before the scheme is approved."

6.5 Refuse/ Waste Management

No objection subject to the use having sufficient refuse storage.

7.0 CONTACT OFFICER: Claire Booth

8.0 DATE PREPARED: 03 August 2018

9.0 SUMMARY OF REPRESENTATIONS

Objection Colin Ashcroft, 4 Kentmere Drive, Blackburn

This is in regards to the application for the change of usage of 581-583 Preston Old Road (Ref 10/18/0417). I live at no. 4 Kentmere Drive & originally was consulted when this property was opened as a off-license/butty shop. I objected then at the council meeting because of the lack of parking for the butty shop. There is already a hairdressers there & just enough room to park 4 cars outside. As it was originally a corner shop for residents to walk to, there was not a parking problem. The new usage was passed but subsequently failed due to the spar, poundshop & the sainburys opening up in the area.

The shop shut but was later re-opened as a coffee shop/butty shop with no consultation with the local community. The original hours for previous shop were 8am-11pm the new shops hours were 8am-4pm, which was better. However the coffee-shop was not a coffee-shop, it was a restaurant & the butty-shop was a sit in butty-shop. This has caused ciaoos as regards parking in the area as the shop has become more popular.

The advertising boards placed on the pavement at the junction are illegal & the tables & chairs blocking the public footpath outside the shop are also not legal. At peak times it is impossible to park outside your own house with lorries,tractors & cars not only from the butty shop but from the restaurant. If any residents complain to the customers, they are usually met with abuse. At times it is impossible should an emergency vehicle need to get on to the estate, as there is only one point of access,past this shop. On some occasions cars are pack with the back end out onto the main road, making it difficult, not only to get on the estate but off as well. There have already been numerous accidents cause through people parking on the pavement on Preston Old Road obstructing the view at this junction.

Should this application been submitted to the council before this shop/restaurant opened & parking arrangements considered I don't believe any license would have been granted. There is no car park for the restaurant & since opening the hours seem to have increased on Sundays till 6.30pm & other occasions private party's held. This then creates the problem of the guests leaving their cars parked everywhere. If this restaurant were to move to one of the vacant pubs, that has park areas. I think it would do very well, however this is a corner shop with no parking facilities available for what appears to be a rapidly expanding/popular restaurant.(just not with the local residents)

Objection Colin Ashcroft, 4 Kentmere Drive, Blackburn

Having been sent a letter on my opinion about the Arches & replied. I have payed more attention this weekend. Two women parked outside my house both to close to the junction (10 metres) so as not to cause an obstruction. Both were either going to the shop or had been. I challenged both about leaving their vehicles safely parked. One apologized the other asked me what business it was of mine. I told her she was parked in contravention to the highway code & making it unsafe at the junction. It was also annoying the neighbours. She again ask what it was to do with me. As your park outside my house quite alot.

The woman didn't believe I lived at no.4 Kentmere & asked me to prove, so I went in the back door & came out the front at her Range Rover. She the became abusive & said I better be careful or someone would sort me out. I said pardon, & she repeated it continuing to get her child out of the vehicle, saying I'd have to ring the police to complain about her parking.

That was Saturday, on Sunday there was no-one park outside the shop yet their clients insisted on parking for a party which went on till 6pm on the estate. Again I challenged someone for parking to near the junction, which he move after being made aware. It was then I noticed the lack or cars outside the shop/restaurant. As I was working in the garden all afternoon I noticed that most had parked on the estate. The only reason it seems they park on the estate after one of these parties is so not to draw attention of the police after consuming alcohol with their food.

Normally during the week I am at work & don't see what is going on, but after your letter I have taken more notice at weekends & can see why my neighbours arn't happy. It isn't necessarily the shop but the people visiting it. There is no parking available for the amount of people visiting the shop for long periods of time.

Objection Mr & Mrs Garrity, 2 Wythburn Avenue, Blackburn

To whom it may concern:

We are voicing our concern regarding the increasing amount of traffic parking at the entrance to a residential estate. The traffic involved is not only cars but vans, large wagons, and sometimes tractors. These vehicles are causing a dangerous obstruction to vehicles entering the estate to get to their homes. They are parking on the pavement, at the end of people's drives, and vehicles are getting damaged. We are concerned also that emergency vehicles will have difficulty getting into the estate. There is increased inability for people using prams or disability scooters, and also the partially sighted. We feel that the convenience store and coffee shop changing to a restaurant would multiply the problem even more.

Objection Nicole Voller, 589 Preston Old Road, Blackburn

Further to your recent correspondence regarding the Planning Application Number 10/18/0417 regarding The Arches 581-583 Preston Old Road, Blackburn, BB2 5HD.

I would like to express the following concerns.

Having looking at the planning application online, I have seen that they propose to be open from 08:00-23:00 – due to this property backing onto my property (garage width apart) and the noise associated with people leaving at that time of the night, I would be concerned that it would impact on my lifestyle and young son.

I also have issues regarding the parking – currently there is only a parking area to the front of the row of shops (3/4 Cars maximum). To the rear to this property is a rear paddock which is currently owned by 585 Preston Old Road (Permutations Hairdressers) and within my house deeds I have unrestrictive access to my garage at all times. At present I have come home on numerous occasions to where I am unable to access this area due to customers from The Arches obstructing the access to the side of 581 Preston Old Road, to the rear of my property. If this was to continue till 23:00 this area could become a un-authorized car park for The Arches causing access issues to both myself and my next door neighbour at 591 Preston Old Road.

I would also ask whether this barrier that they intend to put around the front of the premises would hinder vision for exiting this rear paddock, therefore causing an issue for safety driving onto Kentmere Drive.

I have also seen the comments around the waste from The Arches – I would like to state it is not a back alley – a garage is actually within the rear of The Arches, therefore I would not call that an alleyway. The large 1000 litre bin also is not within a lockable compound and since the coffee shop has opened my property has had issues with Rat's. I have also attached images to the email to show the state of the rear of the courtyard.

I look forward to any more correspondence regarding this application in the future.



Objection Mitchell Ashcroft, 4 Kentmere Drive, Blackburn

Hello

I am emailing put across my opinion on the planning request put in by The Arches (581-583 Preston old road)

Every day that shop is open I come home for my dinner anytime between 11 am and 1pm and I can't park anywhere near my house because the shop that has been running as a restaurant since it opened has no parking on site.

Just today a highway maintenance hgv was parked in front of my house and 3 other vehicles parked across from it. when I came home for my dinner. Not only is it an inconvenience for the people that live on the estate but it's also dangerous. Number 2 kentmere drive has already had damage sustained to their vehicle because of this and should an emergency service vehicle need to get onto the estate during that time they have no chance.

I finished work today slightly earlier than usual and once again I've come home to find a hgv on one side of the road with cars parked across from it leaving me to park well away from my home.

This shop was opened under false pretences from the start as they never had any intention of running it as a convenience store on their first week they hosted a wine and cake party and have since opened up on Sundays for parties, when this occurs the customers park further into the estate because most of them drink and then drive home hours later and the ones that don't drive home leave their cars for any amount of time ranging from 1 night to a few days.

I hope my concerns are taken note of and I hope to hear how the committee meeting goes.

Objection Mr & Mrs Melia, 2 Kentmere Drive, Blackburn

To whom it may concern,

We are writing to you in reference to planning application 10/18/0417, after having carefully assessed the letter that was posted to our address and further plans provided online.

After discussing in depth, we would like to lodge a solid objection to such plans being carried out.

Here are our reasons:

1. **PARKING SITUATION** – There is space for approximately 4 vehicles outside *The Arches* and neighbouring hairdressers. All other customers for these businesses end up double parking all the way down the entrance to Kentmere Drive, blocking driveways and access to properties and causing daily distress for residents. The resulting 'bottleneck' is putting residents' vehicles at risk and making it very difficult to manoeuvre vehicles, particularly at the busiest times of the day.

We have had to ask several times for customers to move vehicles which block our property - which they begrudgingly do. As a family we have two vehicles and this problem is becoming more and more apparent. With very young children, we need to park our vehicles safely and near our property. This is made difficult enough for us and family and visitors have absolutely no chance in parking anywhere near our property.

The owners of *The Arches* appear to take no consideration towards us as local residents at all. They have not addressed the dire parking situation in any way. It would appear that as long as any decision like this one is good for business, then it doesn't matter how residents feel.

The application refers to the addition of a large seating area outside the front of *The Arches*. How can the business possibly look at seriously increasing customer capacity whilst still not addressing the parking issues? This is clearly absurd and displays once

again a lack of regard towards the neighbouring community, some of whom have lived here for a number of years.

2. **NOISE/ALCOHOL** – With more customers dining outside the front of the property, this will generate considerably more noise. As the establishment does serve alcohol there is a clear concern that this will fuel more noisy, aggressive and boisterous behaviour on the street.

Just this last week, there was a large group of young adults drinking alcohol outside the front of *The Arches*. They were shouting and using obscene language for about an hour, which could all be heard by our young children while we were playing in the back garden (as well as residents across the road!) - this is unacceptable. We have lived in Feniscowles the majority of our lives and it has always been a nice quiet residential area, this is not Blackburn town centre!

The owners must have known that this was happening as it was right outside their window, yet nobody addressed the situation at all - which was theirs to address not ours as nearby residents.

This links to another growing concern that with the “Change of use” to A3 (restaurant), the owners may plan on changing their opening hours to close later at night. This would attract people who are simply looking to have a drink in the evening, generating more noise and alcohol fuelled behaviour. It does appear that some events held at *The Arches* have continued later into the evening beyond standard closing hours.

3. **EXTERNAL APPEARANCE** – The erecting of a permanent steel/glass barrier structure outside of *The Arches* would prove unsightly and an eyesore for residents and passers-by. Once again this is a quiet residential housing estate, we also do want it to become another area for youths to congregate in the evenings.

In summary, we haven't lived at our property for long but we intend to make this our 'forever' family home. The plans outlined in application 10/18/0417 are only going to be damaging and generate more distress and concern for us as a family, and as residents of Kentmere Drive.

Objection Mr & Mrs Melia, 2 Kentmere Drive, Blackburn

RE: PLANNING APPLICATION REF: 10/18/0417 (PART 2)

To whom it may concern,

We are writing with reference to planning application 10/18/0417 and in addition to our original letter dated 8th May. That letter addressed a number of our concerns in relation to the proposed plans including; parking, noise/disturbance and external appearance.

The additional information provided on letter dated 14/05/2018, indicates new proposed opening hours for *The Arches* as a restaurant.

Having looked at these, the establishment wants to open until 11pm every night of the week (something we had suspected from the original plans). It is clear that this was something intentionally missed off the original application form, which seems ridiculous.

In support of our more in depth previous letter, we strongly object these opening hours being allowed. The lack of any sort of parking makes this impossible. Having more customers seated outside and drinking alcohol late into the evening is completely inappropriate and unacceptable. Again, this is a residential area! We have very young children who go to sleep in the early evening and even we are in bed way before 11pm.

Please see my previous letter (dated 8th May) for a more in depth look at the many concerns that both we and other residents share concerning these proposed plans. There is clearly no regard for the local community of residents and the local area that we have made our home. This a housing estate, NOT a high street. The plans could only be further damaging to local residents and their everyday lives.

Objection Susan Gavigan, 9 Kentmere Drive, Blackburn

I am emailing you with my comments on the planning application regarding The Arches .

I am unhappy about the opening hours extending to 23:00, as it is licensed and potentially will cause problems with unsocial behaviours.

The traffic is also a big issue parking on the kerb, making it difficult for elderly and young children to pass. As I am on the corner, I get extra vehicles parking, when my relatives visit they cannot park near by. It is a busy road generally, as there is only the one entrance to the estate.

Objection Mr & Mrs Pickthall, 7 Kentmere Drive, Blackburn

I am writing to you to highlight my concerns regarding the inconsiderate and hazardous parking by the customers of the Arches coffee shop / Sandwich bar.

Coupled with this, we have also recently witnessed rowdy behaviour and bad language outside the premises from customers consuming alcohol bought on the premises.

My property is located on the corner across from the Arches, therefore, being situated on the corner, it attracts vehicles to the front and side of the house.

In response to the recent planning application, I would like to raise the following concerns, and would urge that you to give serious consideration to them in the decision process of this application:

- Restricted access for emergency service vehicles to the area
- Limited space / access to own property (regularly Blocking driveway gates)
- Risk of own vehicle being damaged due to hazardous / double parking
- Unable to use pavement with pushchair due to vehicles mounting kerbs
- Lack of respect to privacy of property, and total disregard for residents when drinking alcohol outside the premises

As an additional point surrounding these concerns, there are serious frustrations / unrest within the affected local residents, therefore I would appreciate your immediate attention to help settle this matter

Objection Mrs Patricia Procter, 56 Kentmere Drive, Blackburn

I would just like to say that the new restaurant has brought life to the area and the outside tables and chairs also brings a continental feeling. In regards to parking, there is space at the rear of the building, could this be marked out into parking spaces which would ease the congestion on the front.

My only real concern is cars and vans parking on Preston Old Road has this is hazardous for traffic trying to leave the estate. But, I have to add that this is NOT always vehicles from the restaurant.

Most of the properties on the estate have long enough driveways for 2 cars, so there is no need to park at the front of their property.

I wish the restaurant well and hope that any problems can be resolved amicably.

Objection Stephen Sharples, 15 Kentmere Drive, Blackburn

Dear Claire,

For months the residents of Kentmere Drive, principally the householders around The Arches restaurant have had to put up with huge wagons, workmen's tall van's and cars constantly using the drive as a roundabout or a turning point and parking outside their property constantly putting the house holders in danger of collision every time they want to use there own driveway, there has even been a double decked bus and a full size coach using the tee junction to turn around.

Please find a list of objections below:

1. A householder threatening to move because her driveway has been blocked.
2. How has the The Arches restaurant been trading for so long without the correct planning permission.
3. Wagons and vans parked partially on the pavement outside peoples property excluding the daylight.
4. Public footpaths are for walking on not for seating with barriers of for advertising boards.
5. People with prams have to constantly walk into a dangerous road (this is a one way in and the same way out estate) to circumnavigate the restaurant's customers vehicles the visually impaired, wheelchair users, the list goes on.

I submit this as my personal objection to the parking situation on Kentmere Drive and surrounding properties cause by The Arches, 581-583 Preston Old Road, Blackburn, BB2 5HD and feel that if the restaurant had a dedicated car park for their customers there would be no concern, but as it stands at the moment it has become a grave problem.

Objection Mrs B Rogerson & Mrs E Johnson

I received your letter today regarding further information on the planning application referenced above. We cannot express strongly enough our objections to the proposed opening hours. My bungalow is directly opposite the premises and I do not want people eating and drinking alcohol outside until 11pm at night in front of my daughter's bedroom, this is totally unacceptable for a quiet "residential area". We take this opportunity to stress again, where are all the customers going to park their cars?, as they have no parking facilities. We find it incredible that they failed to propose the opening hours on their initial application. We feel that the immediate residents' opinions around the property should bear the most weight when the application is considered as these are the main people it will have the greatest effect on as opposed to those living on Preston Old Road. If you receive any letters of support for this application from the customers please bear in mind that they don't live next to the property and don't have to deal with the issues that we do. _____

Objection Mrs B Rogerson & Mrs E Johnson

further to our telephone conversation regarding change to planning application.1/
I presume the new proposed opening hours are permanent and to change these hours further planning permission would have to be sought as on the 29/07/18 they were still open at 6.30pm. 2/ they still have not shown how they propose to solve the parking issues and the hazard the increased traffic has caused. I am aware they are trying to run a business but they should have considered such a major issue before opening, and sought planning permission before investing in the property. In response to the proprietors I am trying to run a business, we live here and were here before the business

Objection Neil Rozee, 11 Kentmere Drive, Blackburn

having reviewed the application for change of use I have several concerns which I would like to be taken in to consideration during the application process.

1 - Where the applicants are proposing to site the outside seating area is currently suitable for walking on, will there be sufficient room for a footpath once the barrier is erected.

2 - There is currently a waste bin also in the area where they propose to put the outside seating, will the bin be re-sited or removed, obviously having the bin is vital to keeping the area clean and tidy.

3 - I notice there is no plan in place for parking in the application, it has become a nightmare getting on and off the estate since the restaurant has opened, cars park everywhere with no consideration for the local residents. I have two dogs and a small child trying to get around with a pram is now very difficult and dangerous.

4 - I also have concerns about the late opening request of 11 pm, this is far too late for a restaurant in a residential street, obviously people tend to drink alcohol when going out for a meal, if people then spend all evening continuing to drink they will be leaving inebriated, making lots of noise, swearing, we are not the only family in the area with young children, I believe it is an unacceptable change especially when people will sit outside drinking during the summer months. I get up for work at 5 am and can see the proposed closing time to greatly affect my ability to get a quality nights sleep. I don't think I should be put in the situation where I have to go and complain to people drinking and making a racket to be quiet.

I feel for these reasons serious consideration should be made as to the suitability of the residential street for a restaurant.

Objection Mr S Sharples

I have recently seen the above planning application on Blackburn with Darwen's web site and apart from outdoor seating, tables and a barrier it has been requested that the Arches restaurant extends it's opening times to 11.00 pm.

Please be aware that at number two Kentmere Drive (which is situated next to the Arches restaurant) live a young couple with two very young children. Opening until 11.00 pm and serving alcoholic drinks, sitting outside, car doors banging etc., all of which are not very good if you are trying to get young children to sleep.

Support Alan Bedwell, 21 Kentmere Drive, Blackburn

I am writing in response to a letter I recently received from your office, relating to a planning application for The Arches restaurant.

I fully support the application, as I believe the business is a great asset to the local community. Although only a relatively small cafe / restaurant, it has proved to be very popular for a great number of local residents, most of whom walk there. My wife and I have used it many times, and on occasions been joined by other members of our family. We have also made new friends, nearly all of whom live on the estate or nearby. I am aware that the restaurant is also used by residents of Lingfield Court, a sheltered housing scheme. These elderly folk either walk (albeit slowly) or take the bus for one 'stop.' This business is brilliant for those people, as it is almost on their doorstep.

Apart from the reasons above, the food is fabulous and is very reasonably priced. The owners are very very hard working, incredibly friendly and provide jobs. Without The Arches, we would have to drive, or use taxis, to visit restaurants elsewhere, thus taking our business outside of our community.

I am aware that an increase in motor vehicles has become an issue to some residents. Yes, there are more cars, and some drivers have parked near the T junction. The owners of The Arches have placed notices both outside and inside the premises, requesting drivers to park responsibly. Unfortunately we all know some drivers are just selfish, whether they park here or anywhere. Fixed penalty notices would sort this problem, but it would also result in nearly every local resident being fined!

It saddens me to say that residents close to The Arches park their cars appallingly. Cars and vans are always parked half on footpaths, quite often opposite similarly parked vehicles, creating narrow gaps for moving traffic. I am aware of the main 'complainer' regarding The Arches, and he, unfortunately, can be one of the worst offenders, leaving his car on the road, at the junction, forcing vehicles to cut the corner, thereby creating a danger. He has a large empty drive! He is a really nice guy, and neighbour, but has a bee in his bonnet about The Arches. (He recently put a 'ticket' on my daughters car when she came to visit, telling her she couldn't park near my house because she wasn't a resident!).

The easy answer would be to place yellow lines near the premises in question.

Apologies for the length of this submission. I'm just standing up for a business that is a great addition to the community.

I AM COMPLETELY FOR THE
PROPOSED AMENDMENT.

SINCE THE ESTABLISHMENT
OPENED THE MANAGEMENT AND
STAFF HAVE CREATED A FRIENDLY
CARING ATMOSPHERE AND CERTAINLY
ENHANCED THE WHOLE AREA.

THE PROPOSED AMENDMENT WILL
ADD TO THE ATMOSPHERE
ELDERLY PEOPLE ARE FREQUENT
VISITORS AND AT LAST HAVE
'SOMEWHERE TO GO' AND MAKE
NEW FRIENDS, EVERYONE IS CATERED

FOR. MOTHERS WITH YOUNG CHILDREN
ARE ALSO FREQUENT VISITORS
AND THE PROPOSED AMENDMENT
IF GRANTED WILL REASSURE MOTHERS
WITH A BARRIER IN PLACE, MORE SPACE
WILL OBVIOUSLY BE AN ADVANTAGE

I SINCERELY HOPE THE
APPLICATION IS SUCCESSFUL

IF SO MANY PEOPLE WILL
BENEFIT
