

REPORT TO:	Planning Committee
APPLICATION REF:	11/25/0485
APPLICATION ADDRESS:	The Plough Pub & Restaurant , Broadfield, Oswaldtwistle, BB5 3RY
DEVELOPMENT DESCRIPTION:	Full: Change of use from existing restaurant and bar to an adults day centre for adults with learning and physical disabilities
DATE REPORT WRITTEN:	29/01/2026

Description of the Site and the Proposed Development

A planning application has been submitted for a change of use from restaurant and bar to an adults day centre at 2 Broadfield, Oswaldtwistle. The site measures 0.11ha and comprises a two-storey corner building with associated car parking to the side off Broadfield. The parking area sits at a higher level than the front entrance and includes an existing ramp providing direct access to the first floor. The building is currently operating as a pub and restaurant (The Plough pub & restaurant).

The existing building features stone external walls, grey slate roof tile and UPVC windows and doors. The southern elevation of the building is finished in white render.

The surrounding area primarily includes residential dwellings with the exception of Broadfield School (which is now closed) to the south.

The application proposes a change of use from restaurant and bar (sui generis) to an adults day centre for adults with learning and physical disabilities (Class E (f)). The restaurant and pub use will cease as a result of the proposed development. The centre is proposed to be operating 7 days a week from 8am to 6pm to provide support and supervised care for adults.

The proposal will retain the existing access points including the existing ramped access available via the car park and the pedestrian access point at the front elevation. The car park features 13 spaces with vehicular access off Broadfield available. An existing bin store to the rear is also retained.

The submitted floorplans indicate an activity area/ communal area, disabled WC and kitchen at ground floor. The first floor shows another activity area, store, disabled WC and a small office. An internal staircase with a stair lift is also proposed to allow access to both floors for wheelchair users.

No external changes are proposed.

Consultation Responses/Representations

HBC Environmental Protection: No comments provided.

Lancashire County Council (LCC) Highways: No objection subject to a planning condition securing the parking provision on site.

Initially the application sought to provide a ramped access to the ground floor front elevation however LCC Highways raised concerns with this arrangement. The consultee noted that the ramped access at front elevation would likely result in vehicles stopping on Broadfield close to the mini-roundabout junction with High Street to drop off adults leading to highway safety concerns. Subsequently, the applicant has removed the proposed ramped access to the front from the proposal. This limits the ramped access only to the side of the building from the associated car park instead. As a result, LCC Highways raise no objection to the scheme finding this a more suitable arrangement.

Publicity

The application was advertised via a site notice in close proximity to the site and letters to neighbouring properties. 1no. letter of support has been received and summarised below:

- There is a large demand for adult learning day centres;
- No alternative suitable locations available in the locality for the proposal;
- Alternative pubs available within half a mile;
- The pub is unsustainable financially and has been on sale for 5 years.

1no. letter of objection has been received and summarised below:

- The proposal conflicts with Policy DM8 of the DMDPD;
- Unsuitable location close to the roundabout and a busy highway;
- The former Broadfield School nearby is unoccupied and a more suitable alternative site.

The matters raised in the above representations are addressed in the following sections of this report.

Relevant Planning History

11/12/0274 – Discharge of condition no 7 of 11/12/0079. – Discharged: 07.08.2012

11/12/0255 – Erection of covered walkway and ramp/steps to function room. – Approved with conditions: 09.08.2012

11/12/0199 – Non-material amendment 28 days: 1) amendments to porch (11/12/0079), 2) build up existing rear wall windows, and 3) installation of additional fire door. – Split Decision: 21/06/2012.

11/12/0079 – Change of use of first floor area (former accommodation to public house) to function room, and erection of single storey side extension and ramp. – Approved with conditions: 24/04/2012

01/0035 – Erection of single storey rear extension – Approved with conditions: 27.02.2001

11/74/0345 – Double sided projection sign illuminated by fluorescent tubes. static – Approved with conditions: 19.12.74

Relevant Policies

Hyndburn Core Strategy (CS)

Policy BD1 Balanced Development Strategy
Policy A3 Development of Local Centres in Accrington
Policy Env6 High Quality Design
Policy Env7 Environmental Amenity

Hyndburn Development Management Development Plan Document (DMDPD)

Policy GC1 Presumption in favour of Sustainable Development
Policy DM8 Public Houses
Policy DM20 Flood Risk Management and Water Resources
Policy DM26 Design Quality and Materials
Policy DM29 Environmental Amenity
Policy DM31 Waste Management in all new development
Policy DM32 Sustainable Transport, Traffic and Highway Safety
Policy DM33 Sustainable Transport Infrastructure

Material Considerations

National Planning Policy Framework
National Planning Policy Guidance
DMDPD GN3 Materials and colour
DMDPD GN7 Waste Management
DMDPD GN8 Car Parking, access standards and transport assessment/travel plan thresholds

Observations

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Hyndburn comprises of Core Strategy (2012), Development Management DPD (2018), the Accrington Area Action Plan.

The main issues raised by this application relate to the principle of development; design and appearance; impact on residential amenity; highway safety, access and parking; and flood risk and drainage. Each of these issues will be considered in turn.

1. Principle of Development

1.1. The application site has no site-specific designation within the Development Plan which would restrict the proposed use, and it does fall within the urban boundary.

1.2. Policy BD1 of the CS sets out the development strategy in the Borough stating at section a) that:

'the existing settlement pattern and hierarchy of centres will be maintained and supported by concentrating development within the urban areas and in centres of a scale and type appropriate to their role. Accrington and its townships will accommodate the majority of new development. Modest growth is proposed in Great Harwood, and Rishton would develop in a manner consistent with its size and function. Development that is appropriate to the scale and role of the townships will be supported to help sustain these areas and the services they provide to their communities.'

1.3. The site falls within Accrington and its townships (Oswaldtwistle) which should accommodate the majority of new development as per Policy BD1. Policy A3 of the CS also states that Oswaldtwistle *'will be developed for a range of facilities to support their local communities.'*

1.4. The application seeks a change of use from a public house to an adults day centre. The proposal will lead to the loss of the public house at the site and therefore Policy DM8 (Public Houses) of the DMDPD applies.

1.5. Policy DM8 states;

'1. Proposals for the loss of a public house through demolition, or change of use to any other use class, will only be supported if an applicant can demonstrate that:

- a. the public house has been marketed as a public house, at market rate, for a consistent period of 12 months; and*
- b. the loss of the pub will not result in a shortfall of local pub provision in the area; or*
- c. the public house is no longer economically viable;*

2. In all circumstances the proposed development should not have a detrimental effect on the design, character and heritage of the existing public house and/or the wider streetscape (and is in line with Policy DM22: Heritage Assets).'

- 1.6. The applicant has stated that the public house has been marketed since at least 2019. Evidence of the marketing undertaken has been provided which includes detailed marketing information about the property during the periods of 04/09/2019 – 05/10/2020 and 16/04/2021 – 02/03/2022. The property was marketed by an established estate agent who specialises in the licensed & leisure property sector. The property was originally marketed at £585,000, before being reduced steadily to £460,000 by 02/03/2022. Despite this, the marketing information outlines no formal offers were made on the property.
- 1.7. Subsequently, the premises was then marketed from 27/07/2023 – 11/03/2025 by a RICS registered commercial agent. The marketing information provided shows that the property was originally listed for 'offers around £425,000' before being reduced to 'offers around £395,000'.
- 1.8. From 11/03/2025 onwards, before ultimately being sold, the property had been marketed by an estate agency specialising in the sale of businesses including hotels, pubs and restaurants. The marketing information details that the listed price for the property was based on comparable public house sales in the area which have sold for values between £353,000 - £600,000.
- 1.9. Within the last 12 months, the estate agent has confirmed that details of the property were shared with 10,765 parties with only 309 parties viewing the details. Subsequently only two offers were made for the property (one of which relates to this application and was accepted) – the other offer sought to use the property for retail (ground floor) with residential (first floor). This offer was ultimately refused as the offered amount was less than the accepted offer according to the estate agent.
- 1.10. Reviewing the particulars linked to the above marketing, it is clear that the property has been marketed primarily for use as a pub/ restaurant. The evidence outlines that the property has been marketed free of tie; but no firm interest has been received by the owner for retention of the pub, this is also evident by the history of the site being marketed since 2020 in some capacity. The price has been set at a value which is considered reasonable and has taken into account the history of public house sales within the vicinity. Further to this, the property has also been reduced numerous times with no firm interest shown by any potential buyers showing a pro-active approach to generating offers/ interest.
- 1.11. Based on the evidence provided, officers are satisfied that Policy DM8 (1(a)) has been sufficiently addressed. The information provided outlines that the public house has been marketed consistently for 12 months (and more) at what could be considered a fair market value.

1.12. In regards to local pub provision, Policy DM8 explains;

‘the Council considers a ‘shortfall’ of provision to be where no other facility is available within a reasonable walking distance (10 minutes or approximately 800m, however this will depend upon local circumstances)’

1.13. Within a 10-minute walking distance of the application site the following public houses have been identified:

- The Heys Inn (52 Stone Bridge Lane, Oswaldtwistle, BB5 3BW) circa 10 minutes away (0.6km);
- The Stop & Rest Inn (25 Fielding Ln, Oswaldtwistle, Accrington BB5 3BE) circa 5 minutes walk away (0.26km)

1.14. Based on the above, it is clear the local pub provision would not be significantly affected as alternative provision is available within walking distance. It is considered the proposal would comply with Policy DM8 (1(b)) in this respect.

1.15. With regard to the detrimental effect on the design, character and heritage of the existing public house and/or the wider streetscape – no external changes are proposed and therefore the proposal will comply with this element of Policy DM8 (2).

1.16. Overall, the application site is located in a sustainable location, has no policy restrictions which limit the type of development proposed and broadly accords with the development strategy set out within the CS Policy BD1 and A3. The loss of the pub is considered to be in compliance with the criteria set out within Policy DM8. Therefore, the principle of development is considered acceptable in this instance.

2. Design and Visual Appearance

2.1. Policy Env6 of the Core Strategy seeks to conserve and enhance the quality of Hyndburn’s urban and rural environment through the application of high-quality design. Policy DM26 is concerned with design quality and materials and sets out a variety of criteria that should be taken into consideration when assessing planning applications.

2.2. There are no external changes proposed under this application. The loss of the existing use would not significantly harm the character of the area. Therefore, the proposal accords with Policies ENV6 of the CS and Policy DM26 of the DMDPD.

3. Impact upon Residential Amenity

3.1. Policy DM29 (Environmental Amenity) of the DMDPD states that development will be required to protect, and where possible to improve, the amenity of surrounding areas

for existing and future residents. The Council will require that new development: a. does not result in the loss of privacy or unacceptable increase in the sense of enclosure; b. does not result in the unacceptable loss of outlook; c. benefits from adequate level of daylight and sunlight; and d. does not create an unacceptable level of noise, vibration, artificial light, odour, fumes of dust pollution during construction and over the life of the development.

- 3.2. Policy Env7 of the CS requires that proposals for new development will be permitted only if it is demonstrated that the material impact arising by reason of traffic, visual impact, noise, dust, emissions, pollution, odour, over-looking or loss of light, or other nuisance will not give risk to unacceptable adverse impacts or loss of local amenity and can be properly controlled in accordance with best practice and recognised standards.
- 3.3. No external changes are proposed to the fabric of the building and therefore there is little scope for increased impact on the privacy of neighbouring uses above and beyond the existing situation. No windows are present to the rear elevation at first floor ensuring privacy for the properties to the rear on High Street (and their gardens) is protected.
- 3.4. The lack of physical changes also ensures the exposure to light for neighbouring uses is not impacted unduly when compared to the existing arrangement.
- 3.5. It is also considered that the change of use would not significantly increase the noise output of the premises over and above the existing public house use. The proposed day centre will also operate from 8am to 6pm which is a reduction on the consented (under application 11/12/0079) operating hours of the public house which can operate until 01:00am on most days. This should result in a less intensive use and should in practice lead to less noise at the premises overall.
- 3.6. Overall, it is not considered that the proposed development would result in any detrimental harm to the residential amenity of neighbouring occupants and the proposal would accord with the requirements of CS Policy Env7 and DMDPD Policy DM29.

4. Highway Safety, Traffic and Parking

- 4.1. Policy DM32 sets out that all development proposals will be required to actively encourage sustainable travel in line with Policy DM33: Sustainable Transport Infrastructure, and by prioritising the needs of sustainable transport modes in accordance with the following street user hierarchy: a. pedestrians; b. cyclists; c. public transport users; d. special vehicle service (including taxi's, deliveries and servicing needs); and e. other motorised transport.

- 4.2. The application site will retain the existing access points and parking provision. LCC Highways have identified a parking requirement of 6 spaces plus drop off spaces for staff and adults using the site. The existing car park has 13 marked out bays which is considered sufficient by the highway authority.
- 4.3. LCC Highways initially raised concern with the development due to the proposed ramp to the front elevation on Broadfield. The consultee noted that this will result in vehicles stopping on Broadfield close to the mini-roundabout junction with High Street to drop off adults which would result in potential highway safety issues.
- 4.4. The proposal has been revised following the initial comments with the proposed ramp now removed and wheelchair access limited to the first-floor entrance at the associated car park. An internal lift has been provided to allow ground floor access for wheelchair users too.
- 4.5. Subsequently, LCC Highways have raised no objection to the proposed development noting that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.
- 4.6. The proposals are in general accordance with Policies DM32 and DM33 of the Development Management DPD.

5. Flood Risk and Drainage

- 5.1. The proposal will utilise existing drainage system at the public house and therefore will not see any changes in this regard.
- 5.2. The site falls within the Flood Zone 1 and is not considered to be at a high risk of flooding nor is it expected to increase flooding nearby. Likewise, the site is not expected to be at an increased risk of flooding in the future (2070 to 2125). Therefore, the proposals comply with Policy ENV4 of the CS and Policy DM20 of the DMDPD insofar as they seek to meet the challenge of climate change and flooding.

6. Planning Balance and Conclusions

- 7.1. The application seeks a change of use from public house to an adults day centre for adults with learning and physical disabilities.
- 7.2. The proposed development would lead to the loss of the existing public house. However, in line with Policy DM8, it has been demonstrated that the public house has been marketed for over 12 months consistently unsuccessfully prior to its sale, and

alternative local pub provision is available. Therefore, alternative uses are considered acceptable in this instance.

- 7.3. The site is located within the urban boundary and no site-specific designation within the Development Plan which would restrict the proposed use has been identified. The site is located within a sustainable location and is within an area outlined for development and growth within the development strategy set out in the CS Policy BD1.
- 7.4. No detrimental impact has been identified to highway safety, residential amenity and the visual appearance of the surrounding area. This is reflected in the lack of consultee objections.
- 7.5. On this basis, the application is recommended to be approved subject to the conditions below.

Recommendation:

That planning permission is granted subject to the following conditions:

1. The development hereby approved shall be commenced before the expiration of three years from the date of this permission.

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions and to comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

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

Location Plan (Unreferenced) received 26th November 2025; and
Proposed (Layout) (Dwg no. PLOUGH-03-20 Amendment 1A) received 13th January 2026;
Proposed (Elevations) (Dwg no. PLOUGH-04-20 Amendment 1A) received 13th January 2026;
Proposed (Parking) (Dwg no. PLOUGH-05-20 Amendment 1A) received 13th January 2026.

Reason: In the interests of proper planning.

3. Site preparation and construction phase times of operation: Construction deliveries to and from the site, and construction works, are restricted to between 0800 and 1800hrs Monday to Friday, 0900 to 1300hrs on Saturdays, and will not take place on Sundays and bank holidays, unless otherwise prior agreed in writing with the local planning authority.

All works will be undertaken in accordance with BS5228:2009

Reason: In the interest of residential amenity in accordance with the provisions of Core Strategy Policy Env7 and Development Management Development Plan Document Policy DM29.

4. Prior to first use hereby permitted the car park shall be marked out in accordance with the approved plan.

Reason: In the interest of highway safety and to ensure adequate parking is available within the site and to comply with Policy DM32 of the Hyndburn Development Management Development Plan Document.

5. The use hereby permitted shall not be open to clients except between the hours of 0800 and 1800 on Mondays to Sundays, Bank or Public Holidays.

Reason: In order to protect the residential amenities of the occupiers of the adjacent properties and to comply with Core Strategy Policy Env7 and Development Management Development Plan Document Policy DM29.

6. The premises shall only be used for adult day centre and for no other purpose including any other purposes in Class E of the Schedule to the Town & Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: The Local Planning Authority would wish to retain control over any subsequent change of use of these premises in the interests of safeguarding the amenities of the area and to comply with Core Strategy Policy Env7 and Development Management Development Plan Document Policy DM29.

Informative Notes:

1. Positive and Proactive Planning Statement

The Local Planning Authority operates a pre-planning application advice service. All applicants are encouraged to engage with the Local Planning Authority at pre-planning application stage. As part of the determination of this planning application the Local Planning Authority has worked pro-actively and positively with the applicant ensuring that upon receipt all representations and consultation responses are available to view on the Council's web site. The Local Planning Authority has considered the application and where necessary considered either the imposition of planning conditions and/or sought reasonable amendments to the application in order to deliver a sustainable form of development in accordance with the National Planning Policy Framework.

2. Conditions

This consent is granted subject to conditions and it is the owner and the person responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond.

3. Building Regulations may be required

The enclosed approval is issued under the Town & Country Planning Act 1990. You may also require Building Regulation approval which is dealt with by this Department's Building Control Section (Tel: 01254 380194). You must ensure that all necessary permissions are obtained BEFORE starting work, otherwise abortive expense may be incurred.

4. Coal Authority – Low Risk

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at www.coal.decc.gov.uk Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com.

5. Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

- (a) A Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) The planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Hyndburn Borough Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements is/are considered to apply.

List of Background Papers

<https://planning.hyndburnbc.gov.uk/Northgate/ES/Presentation/Planning/OnlinePlanning/OnlinePlanningOverview?applicationNumber=11%2F25%2F0485&guid=355cfbc6-0f43-412d-b32b-a2adc5ded551>