

Planning Committee

26 July 2012

Reference:
APP/12/00546

Area Team:
South Team

Case Officer:
Miss A McDougall

Ward:
Bromborough

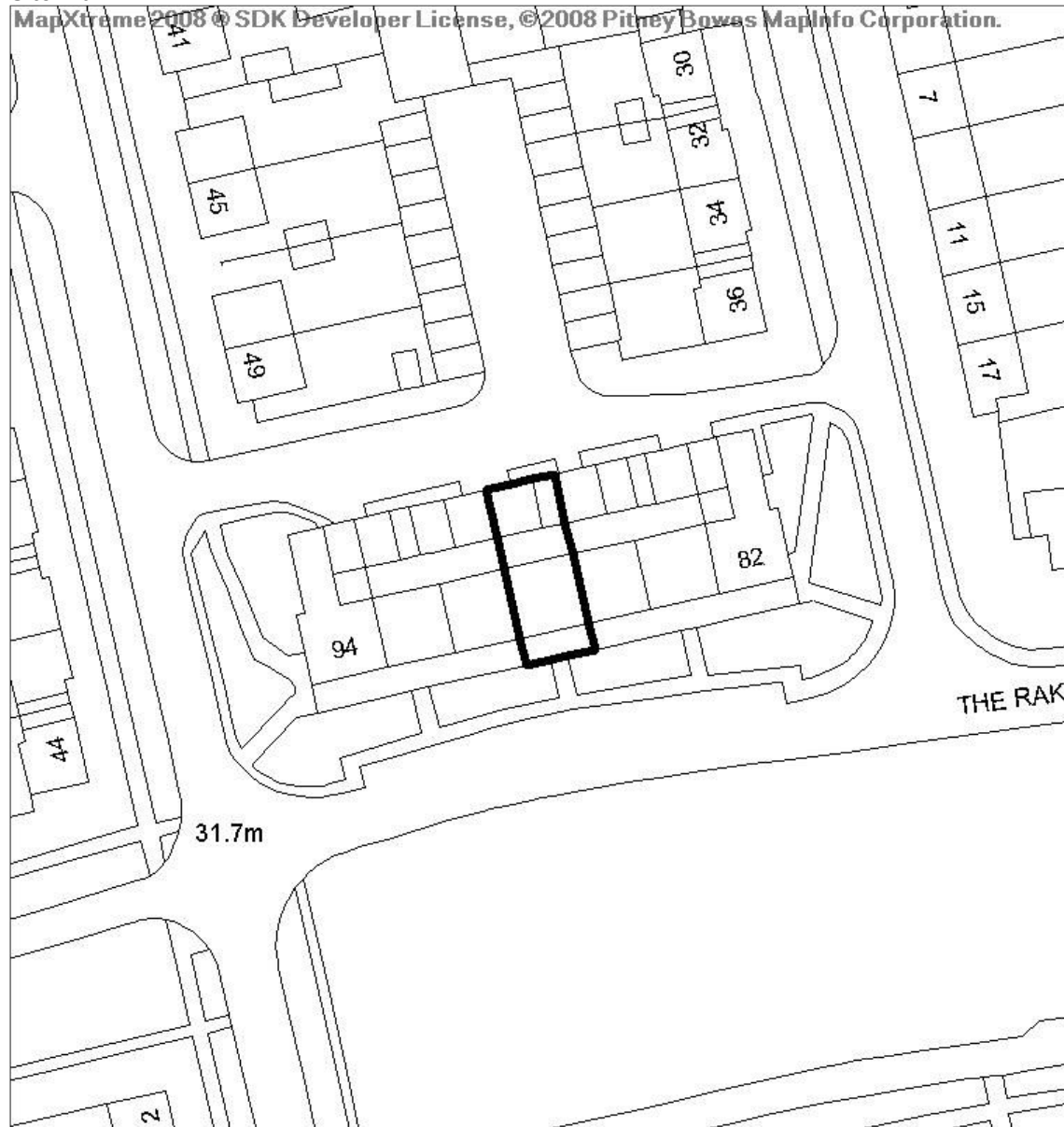
Location:
Proposal:

Vacant Shop, 88 THE RAKE, BROMBOROUGH, CH62 7AL
Change of use from a sewing shop to a private hire booking office and
restroom for drivers.

Applicant:

Mr Roy Garton

Site Plan:



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Development Plan allocation and policies:

Primarily Residential Area
HS15
SH4

Planning History:

No relevant planning history

Summary Of Representations and Consultations Received:

REPRESENTATIONS:

Having regard to the Council Guidance on Publicity for Applications, 21 notifications were sent to adjoining properties. A site notice was also displayed. At the time of writing this report 3 objections have been received and a qualifying petition containing 64 separate household signatures, listing the following grounds:

1. Existing taxi service in Bromborough Village
2. Noise and disturbance
3. Highway safety and Parking problems

CONSULTATIONS:

The Director of Technical Services (Traffic & Transportation Division): No objection

Director's Comments:

REASON FOR REFERRAL TO PLANNING COMMITTEE

A qualifying petition of objection has been submitted containing signatures from 64 separate household.

INTRODUCTION

The proposal is for the change of use of a vacant retail unit to a private hire booking office and restroom for drivers.

PRINCIPLE OF DEVELOPMENT

The proposal is for a sui generis use within an established row of shops in a residential area, the principle of development is acceptable.

SITE AND SURROUNDINGS

The premises is a mid terrace unit within a built for purpose retail block located in a residential area, the block is three storey and there are 7 units in total, the application site is the central unit. The block faces onto a grassed area that separates the commercial units from the residential, the dwellings to the south are 50m away. The appearance of the area has a positive spatial definition with the buildings being set back and landscaping between the houses and the highway, the retail block is quite stand alone and other than the flats above is set approximately 50m from the nearby residential units.

POLICY CONTEXT

SH4 Small Shopping Centres and Parades Policy

Within small shopping centres and parades in Primarily Residential Areas, development falling within Class A1, Class A2 and Class A3 of the Town and Country Planning (Use Classes) Order 1987, will be permitted, subject to Policy HS15 and the following criteria as appropriate:

- (i) where a proposal for Class A3 uses is located on a street containing similar establishments, cumulative levels of noise and disturbance, from both the existing and proposed activities, should not exceed a level likely to be detrimental to the amenity of the area;
- (ii) proposals for Class A3 uses should include measures to mitigate smell and internally-generated noise - these measures should not be visually intrusive in the street scene and should be fully installed before the business commences trading;
- (iii) the proposal does not cause nuisance to neighbouring uses, or lead to loss of amenity, particularly

in respect of noise and disturbance, on-street parking or delivery vehicles - where necessary a suitable condition will be imposed on hours of opening/ operation;

(iv) proposals for Class A3 uses should be located a reasonable distance from the principal elevation of the nearest dwelling house or block of flats;

(v) proposals for Class A2 uses should incorporate the provision of a shop front and permanent window display.

HS15 Non-Residential Uses in Primarily Residential Areas Policy

Within the Primarily Residential Areas as defined on the Proposals Map, proposals for small-scale built development and changes of use for non-residential uses will only be permitted where the proposal will not:

(i) be of such scale as to be inappropriate to surrounding development;

(ii) result in a detrimental change in the character of the area; and,

(iii) cause nuisance to neighbouring uses, particularly in respect of noise and disturbance, on-street parking and deliveries by vehicle.

Proposals should make adequate provision for off-street car parking standards and servicing requirements.

APPEARANCE AND AMENITY ISSUES

The proposed change of use does not propose to alter the external appearance of the building. The unit will be used to take bookings for private hire and as a restroom for the drivers. The block is an existing retail parade that serves the local community.

There are concerns with regards to the impact of a 24 hour business on the local area, the applicant has requested a private hire booking office and rest stop for drivers whilst working in this area. A taxi service is a relatively detached business with calls being taken and sent out to drivers already in a car in a different location to the business premises. However providing a 24 hour premises for vehicles, staff and customers in a residential area during evening and early morning will have a level of nuisance that is currently not experienced in the area.

The applicant has not supplied sufficient information to demonstrate that the business operations will not result in any noise and disturbance to local residential amenity. The intention is to operate the business on a 24 hour basis with drivers using the premises as a base and rest area. The likelihood is that a number of vehicles will be present at the premises throughout the day and night increasing the level of activity usually present in a residential area. The primary nuisance arises from trips to and from the premises by cars and customers. The starting/stopping, closing of car doors and manoeuvring can be a source of nuisance outside the normal working day and such activity becomes more noticeable and sensitive to residents as the background noise levels are lower.

SEPARATION DISTANCES

Separation distances do not apply in this instance. ,

HIGHWAY/TRAFFIC IMPLICATIONS

There are no Highway Implications relating to this proposal.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

There are no Environmental/Sustainability issues relating to these proposals.

CONCLUSION

The increase in activity due to the proposal and business operations on a 24 hour basis is likely to lead to a level of noise and disturbance that would be harmful to the residential amenity of the local area. The proposal is therefore contrary to Policies HS15 and SH4.

Recommended Refuse
Decision:

Recommended Reason:

1. The use of the premises as proposed would introduce a level of activity that is likely to result in an unacceptable level of noise and disturbance. This would be detrimental and harmful to the residential amenity of the occupiers of nearby residential properties and is therefore contrary to Wirral's UDP Policies HS15 and SH4.

Last Comments By: 06/06/2012 09:13:19
Expiry Date: 20/06/2012