
ITEM	APP/2007/6424	WARD Wallasey
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Location: Framing Point 119 Wallasey Village Wallasey Village Wirral CH45 3LF

Proposal: Change of use to a hot food takeaway and installation of two extraction vents

Applicant: Mr A Rahman
26 Willmer Road
Birkenhead
Wirral
CH42 0JE

Development Plan Traditional Suburban Centre.

allocation and policies:

SH2 - Criteria for Development in Traditional Suburban Centres.
SPD3 - Hot Food Takeaways, Restaurants, Cafes and Drinking Establishments.

Planning History: 2001/5149 - Change of use to a kebab shop. Approval recommended.

2007/6423 - Erection of an externally illuminated sign. Decision pending.

Representations and consultations received:

Representations:

A site notice was displayed at the front of the premises. A total of 7 letters of notification have been sent to properties in the area. At the time of writing this report 3 letters of objection and 2 qualifying petitions containing signatures from over 25 addresses have been received, listing the following grounds:

- The proposal will result in noise, odour and air pollution.
- There is inadequate parking that will lead to highway safety problems.
- Would result in a duplication of a similar business in the immediate area.
- This proposal will jeopardise existing local business in the area.

Consultations:

Director of Regeneration - Housing & Environmental Protection Division
No objection subject conditions requiring details of the fume extraction system and that the hours of operation are controlled.

Directors comments: PROPOSAL

The proposal is for the change of use of the property from retail to a hot food takeaway.

PRINCIPLE OF DEVELOPMENT

The proposal is for an A3 use in a Traditional Suburban Centre. It falls within a Use Class identified as being acceptable in principle in such areas. Further to this there is an existing established hot food takeaway at 135 Wallasey Village, indicating a precedent for such development in this area. On this basis, the proposal is acceptable in principle.

SITE AND SURROUNDINGS

The property is currently a retail premises set within a row of similar retail premises on Wallasey Village. There are commercial properties on the opposite side of Wallasey Village and residential properties to the rear.

POLICY CONTEXT

SH2 (Traditional Suburban Centres) indicates that proposals falling into use classes A1, A2 and A3 are considered acceptable in principle in Traditional Suburban Centres.

Any development falling into these categories must not undermine the vitality and viability of the area, generate traffic movements in excess of what the existing highway network may accommodate. It must not result in any unacceptable loss of amenity to neighbouring uses and occupiers and in the case of A3 uses, should include measures to mitigate smells and internally generated noise.

APPEARANCE AND AMENITY ISSUES

The proposal is for the change of use of the property and the external amendments are to be minimal. The signage has been the subject of a separate application.

The premises is set within a row of other commercial uses, mainly A1 retail and there are similar uses on the opposite side of Wallasey Village. There are several other A5 uses within the surrounding area although the centre remains predominantly A1 and A2 in its uses.

The nearest residential properties likely to be directly affected are those to the rear on Marlwood Avenue. Any loss of amenity through odours and smells may be mitigated by the imposition of a suitably worded planning condition requiring a scheme of fume extraction to be submitted and implemented.

Concern has been raised relating to the number of hot food outlets within Wallasey Village, particularly in reference to its impact on existing similar business in the surrounding area. The proposal is not considered to represent an overprovision of uses as explained previously and an increase in competition is not a valid planning reason for refusal of consent.

The hours of operation may be controlled through a planning condition and the suggested hours are contained within the appended condition.

HIGHWAY/TRAFFIC IMPLICATIONS

The Director of Technical Services (Traffic Management) has raised no objection to the proposal on highway safety terms. Concern has been raised relating to the increase in traffic and parking within the area although it should be noted that this is a town centre location well served by public transport and has a limited waiting bay outside and all other sensitive locations on the highway surrounding the site are protected by waiting restrictions. It is not considered there will be any detrimental impact on highway safety as a result of this proposal.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

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

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

The proposal is for an A5 use in a town centre location, it is in these areas where such uses are encouraged to locate. It is not considered to have any detrimental impact on the amenity of the surrounding properties or on highway safety and is considered to be acceptable subject to conditions.

Summary of Decision: It is for the reason of the proposal having no detrimental impact on the amenity of the surrounding properties, or highway safety that it is considered to comply with UDP Policies SH2 and associated SPD3. It is for these reasons that it is recommended the application be approved.

Recommendation: **Approve**

Condition(s):

- 1 Full planning permission: standard commencement date. (C03A)
- 2 Fume extraction scheme agreed/implemented before commencement. (C16A)
- 3 The premises shall be closed between 23.30 and 08.00 hours. (C62E)

Reason for conditions

- 1 Standard (CR86)
- 2 In the interests of amenity. (CR17)
- 3 In the interests of amenity. (CR17)

Last Comments By: 16 August 2007

56 Day Expires On: 13 September 2007

Case Officer: Mr R McGinn