

Planning Committee

31 October 2013

Reference:
APP/13/01066

Area Team:
North Team

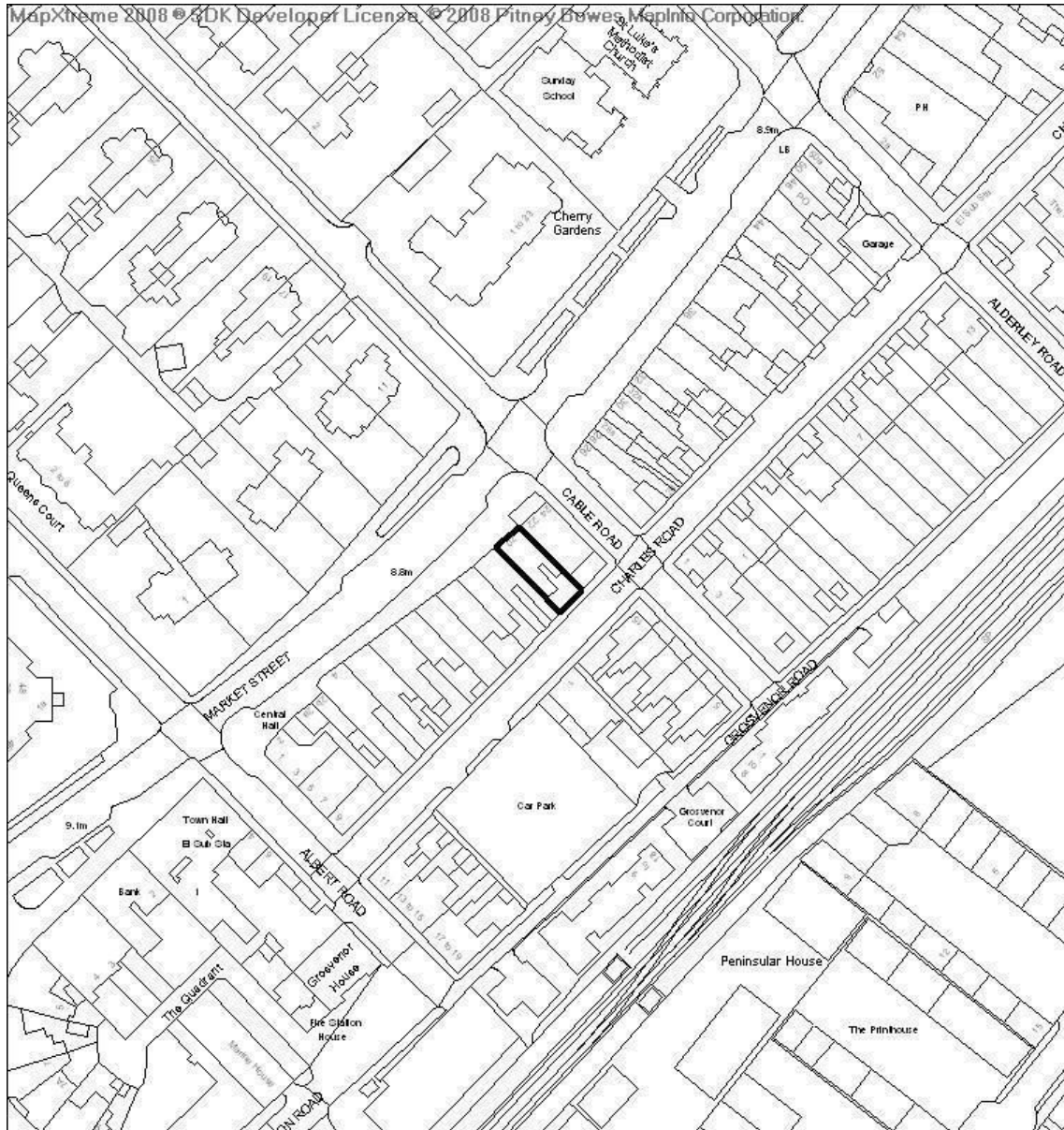
Case Officer:
Mrs S Lacey

Ward:
Hoylake and Meols

Location: 20 MARKET STREET, HOYLAKE, CH47 2AE
Proposal: Erection of a conservatory to cover the existing area of the street cafe and enclosed rear area to rear yard.

Applicant: Bej Restaurants
Agent : SDA Architects and Surveyors

Site Plan:



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Development Plan Designation:
Key Town Centre

Planning History:

Location: 20 Market Street, Hoylake, Wirral, CH47 2AE
Application Type: Full Planning Permission
Proposal: Change of use from restaurant/café to Chinese take-away with dining area together with a new rear conservatory extension to the dwelling on the site.
Application No: APP/03/07074
Decision Date: 04/08/2004
Decision Type: Approve

Location: 20 Market Street, Hoylake, Wirral, CH47 2AE
Application Type: Advertisement Consent
Proposal: Erection of illuminated fascia sign.
Application No: ADV/03/07310
Decision Date: 13/01/2004
Decision Type: Approve

Location: 20A Market Street, Hoylake, Wirral, CH47 2AE
Application Type: Full Planning Permission
Proposal: Erection of a single storey rear extension
Application No: APP/00/06163
Decision Date: 08/08/2000
Decision Type: Approve

Location: 20, Market Street, Hoylake. L47 2AE
Application Type: Full Planning Permission
Proposal: Erection of new shop front, canopy and single storey rear extension.
Application No: APP/88/07062
Decision Date: 30/11/1988
Decision Type: Approve

Location: Broster, 20, Market Street, Hoylake. L47 2AE
Application Type: Full Planning Permission
Proposal: Erection of single storey extension at rear.
Application No: APP/91/06735
Decision Date: 08/11/1991
Decision Type: Approve

Summary Of Representations and Consultations Received:

REPRESENTATIONS:

Having regard to the Council Guidance on Publicity for Applications, 8 letters of notification were sent to neighbouring properties and a site notice was displayed on the highway. No objections were received.

CONSULTATIONS:

Head of Environment and Regulation (Traffic Management Division) - No objection.

Head of Environment and Regulation (Pollution Control Division) - No objection.

Directors Comment's:

REASON FOR REFERRAL TO PLANNING COMMITTEE

The application is submitted by SDA Architects and Surveyors, a partner and architect of which is an elected Member of the Council.

INTRODUCTION

The proposal is for the erection of a conservatory to cover the existing area of the street cafe and enclosed area to the rear.

PRINCIPLE OF DEVELOPMENT

The principle of the development is acceptable subject to policy SH1 and SPD3.

SITE AND SURROUNDINGS

The site comprises a restaurant with outdoor seating area fronting the property, situated in a row of A1 shops, A3 restaurants and A4 drinking establishments in Hoylake Key Town Centre. There are residential properties opposite the site, within 38 metres of the proposed conservatory.

POLICY CONTEXT

Policy SH1 is directly relevant in this instance. SPD3: Hot Food Takeaways, Restaurants, Cafes, and Drinking Establishments and the NPPF offers further guidance to be considered.

APPEARANCE AND AMENITY ISSUES

The proposal is to erect a conservatory to enclose an area of pavement currently used as a pavement cafe. The pavement to the front of the premises is relatively wide and can accommodate the structure. The Head of Environment and Regulation (Traffic and Transportation Divisions) has no objection to the proposal and it is not considered to restrict pedestrian flow along the footway or create an obstruction. The adjacent restaurant has the original wrought iron canopy forward of the building line. It is not considered the proposal should replicate this design, and a more modern front extension is considered acceptable.

The proposal will come closer to the residential properties opposite. SPD3 advises that A3 uses should not be approved within 40m of a residential property. In this instance the nearest residential properties would be within 38m. The seating area is considered modest in size, the use of the site for A3 purposes is established, and there is an existing pavement cafe at the site and the adjacent site No.22/24 Market Street. Hours of use should be restricted to minimise noise and disturbance to neighbouring residential properties opposite the site. These factors are considered to present material considerations, and strict adherence to the 40m threshold outlined is not considered necessary in this instance - it is not considered that the proposal would have a significant additional or detrimental impact to residential amenity in this location. Overall the proposal is not considered to be detrimental to neighbouring properties and is recommended for approval.

The rear extension forms a covered canopy over the rear yard, and is not considered harmful in scale, design or outlook to neighbouring properties.

SEPARATION DISTANCES

Separation distances do not apply in this instance, as no residential properties will be affected by the proposed development in terms of overlooking or loss of privacy.

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.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

The proposal is considered acceptable in scale and is deemed not to undermine the vitality and viability of the Key Town Centre or be detrimental to the character of the area. It complies with Policy SH1 of the adopted Wirral Unitary Development Plan and associated SPD3, and the National Planning Policy Framework.

Summary of Decision:

Having regards to the individual merits of this application the decision to grant Planning Permission has been taken having regards to the relevant Policies and Proposals in the Wirral Unitary Development Plan (Adopted February 2000) and all relevant material considerations including national and regional policy advice. In reaching this decision the Local Planning Authority has

considered the following:-

The proposal is considered acceptable in scale and is deemed not to undermine the vitality and viability of the Key Town Centre or be detrimental to the character of the area. It complies with Policy SH1 of the adopted Wirral Unitary Development Plan and associated SPD3, and the National Planning Policy Framework.

Recommended Decision: **Approve**

Recommended Conditions and Reasons:

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 10 September 2013 and listed as follows: drawing numbers 13_2013_01 and 13_2013_02 (dated 18.01.2013)

Reason: For the avoidance of doubt and to define the permission.

3. The seating area hereby approved shall not be used except between the hours of 09:00 hours and 23:00 hours

Reason: To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties.

4. Before any construction commences, samples of the facing, roofing and window materials to be used in the external construction of this development shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall then be used in the construction of the development.

Reason: To ensure a satisfactory appearance to the development in the interests of visual amenity and to comply with Policy SH1 of the Wirral Unitary Development Plan.

Last Comments By: 10/10/2013 11:56:39

Expiry Date: 05/11/2013