

MRS T LITTLEJOHNS

CHANGE OF USE FROM MIXED A1 RETAIL AND A3 CAFE USE TO MIXED A3 CAFE AND A5 HOT FOOD TAKEAWAY USE AT 25 BRIDGE STREET, TAUNTON

Grid Reference: 322578.124899

Full Planning Permission

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval subject to the receipt of comments from Environmental Health raising no objections and no new objections received by the 8th December 2011

The proposal is considered not to have a detrimental impact upon visual amenity, residential amenity or the vitality and viability of the defined Secondary Shopping Area and is therefore considered acceptable and, accordingly, does not conflict with Taunton Deane Local Plan Policies S1 (General Requirements), S2 (Design) and T21 (Secondary Shopping Area).

RECOMMENDED CONDITION(S) (if applicable)

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: In accordance with the provisions of Section 91 Town and Country Planning Act 1990 (as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004).

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

(A4) Location Plan

(A4) Existing and Proposed Elevations Plans

Reason: For the avoidance of doubt and in the interests of proper planning.

Notes for compliance

1. You are advised that any alterations to the shopfront will require planning permission, and that any new signage may require advertisement consent.
2. Any external flue will require separate planning permission and the granting of this permission does not infer that such a flue would be acceptable.

PROPOSAL

The proposal comprises the change of use of the ground floor of the building from a mixed use (A1 and A3, retail and a cafe) to either A3 (cafe, restaurant) or A5 (hot food takeaway).

No end user of the building has been identified, and the submitted layout plan is for illustrative purposes only.

As there is no end user no details of any proposed alterations to the shopfront, or new signage, have been submitted. Details of where a flue and rubbish store could be located have been included in response to an officer query.

SITE DESCRIPTION AND HISTORY

The three storey mid terraced building is located close to the town centre within the Secondary Shopping Area. The ground floor of the building is currently empty and prior to this the building had two uses; a retail unit could be found at the front of the building and a small cafe located to the rear of the building.

Planning history

38/09/0377 - Change of use to mixed use (A1 and A3) at 25 Bridge Street, Taunton. Granted conditional approval on 26th January 2010.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

SCC - TRANSPORT DEVELOPMENT GROUP - No objection. Following comments: -

- Proposal within Development limits and in close proximity of town centre, therefore principle acceptable.
- Sited on Bridge Street a Class 1 highway to which 30mph speed limit applies. A well utilised town centre route.
- Highway Authority would not wish to see any vehicles parking directly outside development given the close proximity of the traffic light junction of Bridge Street and Wood Street and location of Pedestrian refuge on Bridge Street, which would lead to disruption of highway network.
- Close to town centre and provision of public car parks are in close proximity.

ENVIRONMENT AGENCY - No comment. Proposal outside those topics requiring consultation with the Environment Agency, as set out in Articles 16 and 17, and Schedule 5 of the DMPO.

ENVIRONMENTAL PROTECTION CONTAMINATED LAND - No comment.

ENVIRONMENTAL HEALTH - NOISE & POLLUTION - Views awaited.

Representations

THREE LETTERS OF OBJECTION: -

- Do we need another takeaway in this area? There are already a number in the area, many poor quality; have enough Charity shops and food shops.
- Increase in amount of rubbish on street; doorways already full of rubbish in the mornings; rubbish blown in during day if doors are open.
- Smells from existing takeaways already at times very strong.
- Takeaway will not benefit day trading.
- Need quality business and retail outlets.

LETTER OF OBJECTION FROM WARD COUNCILLOR: -

- Inadequate parking with double yellow line outside the entrance.
- Opening of Third Way means even temporary stops will lead to traffic delays on already over busy Bridge Street.
- No rear entrance to premises means further traffic difficulties on deliveries of supplies to the takeaway.
- No plan on how they will get rid of waste fumes which will make life difficult for upstairs tenants.
- Smell will permeate into shops and hairdressers adjacent to the site.
- Several takeaways in the immediate vicinity; proposal amounts to overdevelopment.
- Concern of being a night time takeaway and would not add anything to economic development of Taunton.

PLANNING POLICIES

S1 - TDBCLP - General Requirements,
 T21 - TDBCLP - Secondary Shopping Areas,
 EN28 - TDBCLP - Development and Flood Risk,
 PPS4 - Planning for Sustainable Economic Growth,

DETERMINING ISSUES AND CONSIDERATIONS

The main considerations are impact on residential amenity and the Secondary Shopping Area.

Secondary Shopping Area

The Secondary Shopping Area adjoins the Primary Shopping Area and offers a mix of buildings that complement the town centre. These uses, as well as retail, include cafes, takeaways, A2 uses (financial and professional) and leisure. Policy T21 (Secondary Shopping Area) identifies that such uses appropriate to the area include A2 and A3 (now A3, A4 and A5) uses. Whilst the end user is currently unknown, it is not known which use applied for will be implemented or the proposed opening hours of the building. Though there may be a possibility that the building could be closed during some part of the day, the proposal would provide employment and aid the night-time economy of the town to what is otherwise an empty unit.

Residential amenity

Environmental Health have been consulted on the application and their views are awaited. Notwithstanding these views, the building is located within a town centre

where a mix of uses, including residential, are encouraged. The agent has submitted additional details to identify that if a flue was required it could be sited somewhere within the roof of the single storey extension that projects to the rear. The owner of the building also owns land to the rear of other buildings within Bridge Street that could provide an outside storage area for rubbish, and if required, some parking spaces.

It is considered that a flue could be provided for any end user and conditions, if necessary, from Environmental Health, could help prevent any potential harm to occupiers in the future.

Given the existing restaurants, public house and takeaways within the immediate vicinity, it is considered that a further unit will not cause any further detrimental harm to residential amenity; and given the number of other similar uses within the area no opening hours condition will be imposed, this will be decided by Licensing.

Highways

The building is sited close to the town centre with a public car park sited to the rear of the building, at the beginning of Staplegrove Road and a car park at a nearby supermarket. As such, the building is accessible by foot and car users to the building have off road parking options within the immediate vicinity.

Double yellow lines are placed along both sides of the road within Bridge Street, preventing any parking to the front of the building.

Existing business units in Bridge Street, retail and non-retail, have deliveries made with some of these units having no direct rear access; the proposed uses for the building face no different issue than the previous occupiers.

Conclusion

The proposed uses are appropriate to the Secondary Shopping Area and accord with Local Plan policy T21 and provide benefit to the night time economy and vitality and viability of the town centre. The uses are also not considered to cause any detrimental harm to residential amenity beyond any existing uses within the vicinity. Permission is therefore recommended for approval.

In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.

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