

Item D. 7	06/00119/COU	Permit Full Planning Permission
Case Officer	Mr David Stirzaker	
Ward	Chorley East	
Proposal	Change of use from vacant woolshop with residential use (A1) to hot food takeaway (A5), with first floor storage and installation of extractor flue to the rear	
Location	42 Steeley Lane Chorley Lancashire PR6 0RD	
Applicant	Mr Asimullah Dalvi	
Proposal	This application proposes the change of use of a vacant wool shop with flat above to a hot food takeaway with first floor storage and office space. The property to which this application relates is 42 Steeley Lane, Chorley which is located within the main settlement area to the east of the town centre.	
Planning Policy	GN1 - General Settlement Policy SP7 - Shopping Improvement Area EP20 - Noise	
Planning History	No recent relevant planning history.	
Representations	Seven letters of objection have been received, the contents of which can be summarised as follows: <ul style="list-style-type: none"> • 42 Steeley Lane has been residential for the last 10 years • There is already an existing takeaway at no. 44 Steeley Lane which has caused a succession of problems which includes drunks • The bins have also been set on fire in the past and there is already a Chinese takeaway at no. 58 and a paper shop at no. 52 Steeley Lane • Cars regularly park on the pavement and customers sit inside vehicles that are running and music also blares out from the cars • Children often loiter around the existing adjacent takeaway causing destruction to property and the surrounding trees, shout verbal abuse and play football outside • Delivery drivers drive vehicles too fast and are a danger to pedestrians and residents alike • Parking is already difficult • Litter is also left behind • The attics are open between the properties hence there is an increased risk of fire • There have been rat infestations in the area • The proposal will lead to an increase in noise and disturbance from youths • Parking problems will be created 	
Consultations	CBC (Highways) has raised no objection to the application and	

LCC (Highways) have made no comment on the application.

The Head of Environmental Services has raised no objection to the principle of the application subject to the submission and approval of a suitable extraction system.

The MAPS Team make no recommendations on the application.

Assessment

With reference to the comments made regarding vermin, litter and bin problems, these matters can be controlled and dealt with under Environmental Health legislation if a particular problem is found to exist and it should be noted that the Head of Environmental Services has not objected to the application.

Objections have also been raised in relation to parking and highway safety although CBC (Highways) have not raised any objections to the application on this aspect.

In terms of the objections raised citing noise and disturbance, the hours of operation can be controlled through the utilisation of the recommended condition requiring the premises to close at 10:30pm and it should be noted that the MAPS Team have not raised any objections to the application. However, it should be noted that the premises is located at the end of a terrace which include various other shops as does the opposite side of the street and the adjoining premises (44 Steeley Lane) are used as a restaurant/takeaway. This being the case, it would be difficult to substantiate a reason for refusal citing these issues when the MAPS Team have not objected to the application.

The flu duct to be sited at the rear of the premises is not overly prominent in the street scene but it has been requested that its overall height be reduced along with the utilisation of a matt black finish as opposed to the silver finish proposed. The applicant has confirmed that the side elevation of 44 Steeley Lane, which faces onto the flu duct, is blank hence when reduced in height, it should not unduly impact on residential amenity. Further details of the flu duct/extraction system will be required pursuant to the recommended condition prior to works to implement the permission being undertaken.

In terms of impact on the street scene, the application plans do not detail any changes to the shop front although it is likely that new signage will be required for which advertisement consent will be needed. On this basis it is not considered that the change of use will harm the character and appearance of the street scene although an informative will advise the applicant of the need for advertisement consent.

Conclusion

On the basis of the above, it is considered that the proposal accords with Policy Nos. GN1, SP7 and EP20 hence it is recommended that planning permission be granted.

Recommendation: Permit Full Planning Permission Conditions

1. The use hereby permitted shall only be undertaken between the hours of 8:30a.m and 22:30p.m.
Reason: To safeguard the amenities of local residents and in accordance with Policy Nos. GN1 and EP20 of the Adopted Chorley Borough Local Plan Review.

2. The proposed development must be begun not later than three years from the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

3. Before any works to implement this permission are commenced full details of the fume extraction and filtration system to be installed at the premises (notwithstanding any such details previously submitted) shall have been submitted to and approved in writing by the Local Planning Authority. The system shall be installed in accordance with the approved details prior to the commencement of the use of the premises hereby permitted and retained in operation at all times thereafter.

Reason: To safeguard the amenities of local residents and in accordance with Policy No. EP21 the Adopted Chorley Borough Local Plan Review.
