

<b>APPLICATION NO</b>	<b>PA/2009/0343</b>
<b>APPLICANT</b>	Mrs W Cheung
<b>DEVELOPMENT</b>	Planning permission for change of use from retail to Chinese takeaway with associated extraction unit and LPG tank
<b>LOCATION</b>	61 Station Road, Keadby
<b>PARISH</b>	<b>KEADBY/ALTHORPE</b>
<b>WARD</b>	Axholme North
<b>SUMMARY RECOMMENDATION</b>	<b>Refuse permission</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Member 'call in' (Councillor Barker – would like consideration to be given to this application because of concerns about a lack of facilities in the village)
<b>POLICIES</b>	<b>Regional Spatial Strategy for Yorkshire and the Humber:</b> No specific policies apply.  <b>North Lincolnshire Local Plan:</b> Policy S9 (Restaurants and Hot Food Takeaway Establishments) states that hot food takeaways will be permitted in town, district and local centres providing that they do not have an adverse impact on nearby residential properties by reason of noise and disturbance, litter or on-street parking; they do not create a road safety hazard; suitable parking is available on or near the premises; a suitable fume extraction and refuse storage area is installed; and, if necessary, restrictions are imposed on the opening hours of the premises.  Policy DS1 (General Requirements) also applies as amenity value and environmental quality of the area are key considerations.
<b>CONSULTATIONS</b>	<b>Highways:</b> No comments or objections.
<b>PARISH COUNCIL</b>	No objection but have commented that a reasonable closing time should be part of an approval and the direction of noise from the extractor fans should also be considered. They have also commented that parking is already an issue in this part of Keadby.
<b>PUBLICITY</b>	Neighbouring properties have been notified and letters of objection (including one from Althorpe and Keadby Primary School, which lies opposite the application

premises) have been received citing the following concerns:

- A takeaway will result in an increase in litter and waste in an area that already suffers from litter.
- The proposed takeaway would result in an increase in vandalism and theft on the neighbouring school premises.
- The area around the application site suffers from car parking problems at present; the proposed takeaway will exacerbate these problems.
- The proposed takeaway will lead to an increase in noise pollution and disturbance in the area; any additional noise disturbance will be during unsocial hours.
- Noise disturbance will be caused by the proposed extraction fan.
- Neighbouring properties would be adversely affected by cooking smells from the premises regardless of the proposed extraction system.
- The bins and food waste will attract vermin to the area.

Other non-material issues have also been raised.

One letter of support has been received stating that Keadby would benefit from a Chinese takeaway – it would create jobs and renovate a building that is in poor condition at present.

## **ASSESSMENT**

The application site is an end terrace property within the development boundary of Keadby. The property was previously used as a window and door shop. Neighbouring properties are predominantly residential and the application site is bounded to the north, south and west by residential properties.

It is proposed to change the use of the existing retail premises to a Chinese takeaway. There was a previous application on this property to change the use to a Chinese takeaway (PA/2002/1775) which was refused due to the impact of the proposed use on neighbouring residential properties.

**The key issue in the determination of this planning application is whether or not a Chinese takeaway would have a detrimental impact on neighbouring residential properties.**

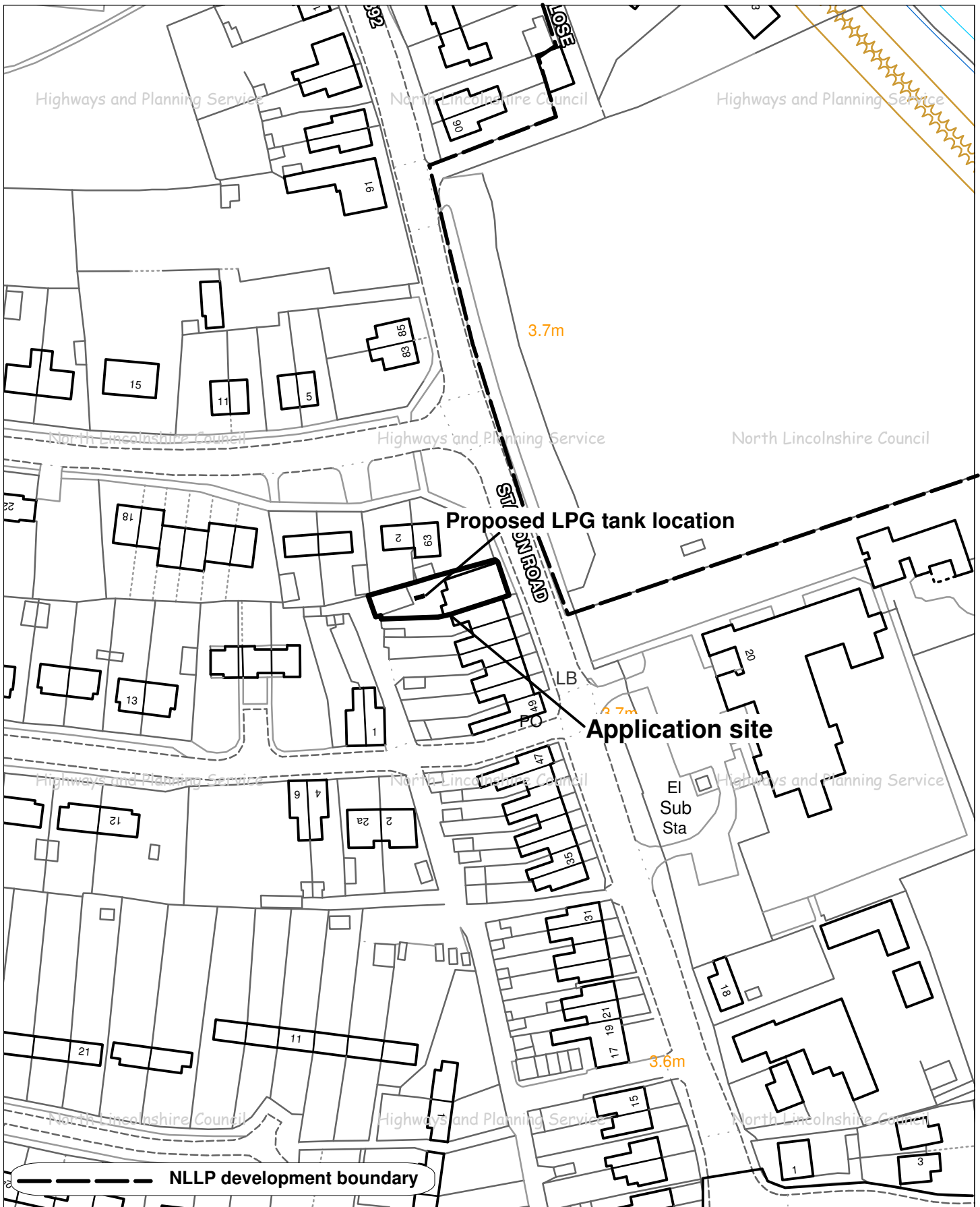
The property in question is an end terrace property; the adjoining property to the south is in residential use, as are the semi-detached properties to the north and west. The application site is therefore very close to a number of residential properties. The use of the property as a hot food takeaway would have a detrimental impact on the amenities of the neighbouring residential properties by virtue of increased noise and disturbance from the property and from increased vehicle movements from people visiting the site. This increased noise and disturbance would be experienced predominantly during the evening and night-time. The property was previously used as a shop, however it was not open to the public during the night and as such neighbouring properties have not been accustomed to noise and disturbance from the property during these hours.

It may be argued that Keadby is lacking in services for a settlement of its size. However, due to the proximity of residential properties to the application site, it is not an appropriate location for a hot food takeaway. The impact on the amenities of neighbouring residential properties is unacceptable and is contrary to policies DS1 (General Requirements) and S9 (Restaurants and Hot Food Takeaway Establishments) of the North Lincolnshire Local Plan.

## **RECOMMENDATION**

### **Refuse permission for the following reasons:**

The proposed change of use to a hot food takeaway would have an unacceptably detrimental impact on the amenities of neighbouring residential properties by virtue of increased noise and disturbance, particularly from noise generated by additional vehicles visiting the premises at night. The proposal is therefore contrary to policies DS1 and S9 of the North Lincolnshire Local Plan.



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**Highways and Planning Service**

Service Director,  
G Popple

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