

<b>APPLICATION NO</b>	<b>PA/2010/0296</b>
<b>APPLICANT</b>	Mr Mujib Rahman
<b>DEVELOPMENT</b>	Planning permission for a minor material amendment to planning permission PA/2009/0718 to extend the area of the first floor extension
<b>LOCATION</b>	Great Fortune Chinese Restaurant, 1-7 Wendover Road, Messingham
<b>PARISH</b>	<b>MESSINGHAM</b>
<b>WARD</b>	Ridge
<b>SUMMARY RECOMMENDATION</b>	<b>Grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Objection by Messingham Parish Council

## **POLICIES**

**Regional Spatial Strategy for Yorkshire and the Humber:** No specific policies apply.

**North Lincolnshire Local Plan:** The site is situated within the development boundary for Messingham (policy ST3) which is identified as a medium growth settlement (policy ST2).

Policy DS4 (Changes of use in Residential Areas) applies because the proposed change of use is located within a mainly residential area. Such development is allowed provided it will not adversely affect residential amenity.

Policy DS1 (General Requirements) specifies that a high standard of design is expected in all developments.

Policy S9 (Restaurants and Hot Food Takeaway Establishments) sets out the criteria whereby such premises would be allowed in town, district or local centres.

## **CONSULTATIONS**

**Highways:** No objections.

## **PARISH COUNCIL**

Object to the application on the following grounds:

- over-development of the site
- inadequate parking facilities

## **PUBLICITY**

Neighbouring properties have been notified; no comments have been received.

## **ASSESSMENT**

Planning permission is being sought for a minor material amendment to PA/2009/0718 which was granted permission by Planning Committee in September 2009 to change the use of a ground floor to a restaurant, erect single-storey and two-storey extensions and amend the opening hours of the restaurant at 1-7 Wendover Road. The applicant now wishes to extend the area of the first floor extension to the rear of the property by a modest 14 square metres.

**The main issues which need to be addressed in determining the application are whether the proposed increase to the floor area of the restaurant would constitute an over-development of the site and whether it would cause parking problems.**

Both these issues were previously considered by Planning Committee, when the principle of the change of use of the main building was established. The increase to the first floor area now being requested is insignificant and should have no adverse impact on its surroundings.

**RECOMMENDATION      Grant permission subject to the following conditions:**

1.

The development must be begun before the expiration of three years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.

The development hereby permitted shall be carried out in accordance with the following approved plans: DX/04/01, DX/04/02, DX/04/03, DX/04/04, DX/04/05, DX/04/06, DX/04/07, DX/04/08 and DX/04/09.

Reason

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

3.

No development shall take place until a scheme for the extraction and filtration of cooking odours from the kitchen has been submitted to and approved in writing by the Local Planning Authority. The scheme shall also identify the final discharge point of cooking odours from the extraction and filtration system and provide details of the noise output of the extraction and filtration system and details of any noise mitigation measures necessary. The approved scheme shall be implemented prior to the commencement of the use and maintained thereafter.

Reason

In the interests of the amenity of the locality and to comply with policy DS1 of the North Lincolnshire Local Plan.

4.

The restaurant shall only be open to customers between 5pm and 11pm Monday to Saturday and 12 noon to 11pm Sundays and Bank Holidays.

Reason

To ensure no loss of amenity by nearby residents.



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**Highways and Planning Service**

Service Director,  
G Popple

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