

Committee Report

Application No:	DC/17/00481/COU
Case Officer	Joanne Munton
Date Application Valid	15 May 2017
Applicant	Done Brothers (Cash Betting) Ltd
Site:	Former Lloyds Bank Lane Head Ryton Central Ryton NE40 3NA
Ward:	Ryton Crookhill And Stella
Proposal:	Change of use of vacant ground floor (previously a bank/A2) to Betting Shop (Sui Generis) also raising of roof and construction of new shopfront (amended 31/05/17).
Recommendation:	GRANT
Application Type	Change of Use

1.0 The Application:

1.1 DESCRIPTION OF SITE

The application site is a single storey unit within the district retail centre of Ryton. The unit forms part of a group of units at Lane Head and faces north onto Main Road.

1.2 The unit was formerly Lloyds Bank, between Sainsbury's Local to the west and Coffee Johnny's to the east, and is currently vacant.

1.3 DESCRIPTION OF APPLICATION

The application proposes the change of use of the unit from a bank (Use Class A2) to a betting shop (Sui Generis).

1.4 The proposal is also for the raising of the roof by 0.57m so the height of the unit would match that of attached neighbours to the west (Sainsbury's) and for a new shop front.

1.5 Submitted plans show a new sign for the unit. This is not being considered as part of the application.

1.6 RELEVANT PLANNING HISTORY

None

2.0 Consultation Responses:

None

3.0 Representations:

3.1 Neighbour notifications were carried out in accordance with formal procedures introduced in the Town and Country Planning (Development Management Procedure) Order 2015.

3.2 An objection has been received from Councillor Haran on the following grounds:

- prominent location of the betting shop particularly due to its location very close to the school;
- negative social impact.

3.3 Three objections have been received from local residents:

- Increased parking demand and 'drop in' nature of the proposed use would impact on highway safety;
- Over-proliferation of betting shops;
- Impact on visual amenity and out of character with area.

4.0 Policies:

NPPG National Planning Practice Guidance

NPPF National Planning Policy Framework

DC2 Residential Amenity

ENV3 The Built Environment - Character/Design

RCL5 District and Local Centres

CS7 Retail and Centres

CS13 Transport

CS14 Wellbeing and Health

CS15 Place Making

5.0 Assessment of the Proposal:

5.1 The key considerations to be taken into account when assessing this planning application are the principle of the proposal, visual amenity, residential amenity and highway safety and parking.

5.2 PRINCIPLE

The site is within the district retail centre as defined by saved policy RCL5 of the UDP and policy CS7 of the CSUCP. These policies seek to maintain and enhance the vitality and viability of each centre.

- 5.3 Ryton district centre is considered to be a high performing centre. The proposal would not result in the loss of retail units or retail frontage within the centre, as the most recent use of the unit was a bank. Additionally, the occupation of a currently vacant unit is supported.
- 5.4 There is an existing betting shop at 4-5 Lane Head, facing east. This is currently occupied by the same company as that proposed for the former Lloyds Bank site and the applicant has confirmed that they intend to vacate the existing unit and relocate to the new unit. It is understood that the former Lloyds Bank unit is preferable for the applicant due to size and position on the street.
- 5.5 The relocation of this particular bookmakers would not automatically result in the ceasing of the use as a betting shop at 4-5 Lane Head. Therefore, approval of this application would result in two betting shops within the district centre. This means that 4-5 Lane Head could be used as a betting shop in the future by another company, or the existing company may choose to remain in the unit.
- 5.6 There is currently no national or local planning guidance that specifically restricts the number of betting shops in an area. Approval of this application would result in only the second betting shop in the well performing district centre with a total of twenty four units. It is considered that the proposal would not result in a proliferation of betting shops in this centre. It is considered that a condition or agreement with the applicant to vacate 4-5 Lane Head and/or to cease the existing betting shop use at this unit would not be necessary to make the current application acceptable.
- 5.7 It is considered that the proposed change of use would not conflict with the aims and requirements of saved policy RCL5 of the UDP and policy CS7 of the CSUCP and would be acceptable in principle.
- 5.8 VISUAL AMENITY
The proposed elevations show a new shop front that would be typical of a unit in a district retail centre. It is considered that the occupation of a vacant unit with a currently blank shop front would make a positive contribution to the established character and identity of the locality.
- 5.9 It is considered that the proposal would respond positively to local distinctiveness and character and it would comply with the aims and requirements of saved policy ENV3 of the UDP and policy CS15 of the CSUCP.
- 5.10 RESIDENTIAL AMENITY
The nearest residential neighbours are Orchard House 28m to the north east across Main Road, and 2 Greenfield Place 13m to the rear (south) of the unit across Woodside Lane.
- 5.11 The proposed opening hours for the new betting shop are 8am until 10pm every day.
- 5.12 The opening hours at Sainsbury's are 6am to 11pm every day. Coffee Johnny's opening hours are restricted by condition to 7am to 10pm every day. The

existing betting shop operates Monday to Friday 9am to 9.30pm, Saturday 8.30am to 9.30pm and Sunday 10am to 9.30pm.

- 5.13 Given the existing opening hours of surrounding premises, it is considered that the proposed opening hours for the new betting shop would be appropriate.
- 5.14 Given the location of the application site within the retail centre, it is considered that the use of this unit would not significantly add to the existing noise levels. It is recommended that a condition is imposed to control the opening hours to those proposed.
- 5.15 It is considered that the proposal would not result in an unacceptable impact on residential amenity of the surrounding area.
- 5.16 The proposal would not conflict with the aims and requirements of saved policy DC2 of the UDP and policy CS14 of the CSUCP.
- 5.17 **HIGHWAY SAFETY AND PARKING**
The site is located in a very sustainable location in terms of being accessible to pedestrians and has good access to public transport.
- 5.18 It is considered that the proposed change of use would not have a significant impact on the surrounding highway network in terms of trip generation or demand for car parking.
- 5.19 It is considered that the proposal would comply with the aims and requirements of policy CS13 of the CSUCP.
- 5.20 **COMMUNITY INFRASTRUCTURE LEVY**
On 1st January 2017 Gateshead Council became a Community Infrastructure Levy (CIL) Charging Authority. This application has been assessed against the Council's CIL charging schedule and the development is not CIL chargeable development as it is not for qualifying retail or housing related. As such no CIL charge is liable.

6.0 CONCLUSION

- 6.1 Taking all the relevant issues into account, it is considered that the proposed development is acceptable in principle and in terms of visual and residential amenity, highway safety and parking, and would comply with the aims and objectives of the NPPF, and the relevant policies of the UDP and the CSUCP.
- 6.2 It is recommended that planning permission be granted, subject to the below conditions.

7.0 Recommendation:

That permission be GRANTED subject to the following conditions and that the Strategic Director of Communities and Environment be authorised to add, vary and amend the planning conditions as necessary:

1

The development shall be carried out in complete accordance with the approved plan(s) as detailed below -

Location Plan received 15.05.2017

1225BF-SF rev1

1225BF-LP rev1

Any material change to the approved plans will require a formal planning application to vary this condition and any non-material change to the plans will require the submission of details and the agreement in writing by the Local Planning Authority prior to any non-material change being made.

Reason

In order to ensure that the development is carried out in complete accordance with the approved plans and any material and non-material alterations to the scheme are properly considered.

2

The development to which this permission relates must be commenced not later than 3 years from the date of this permission.

Reason

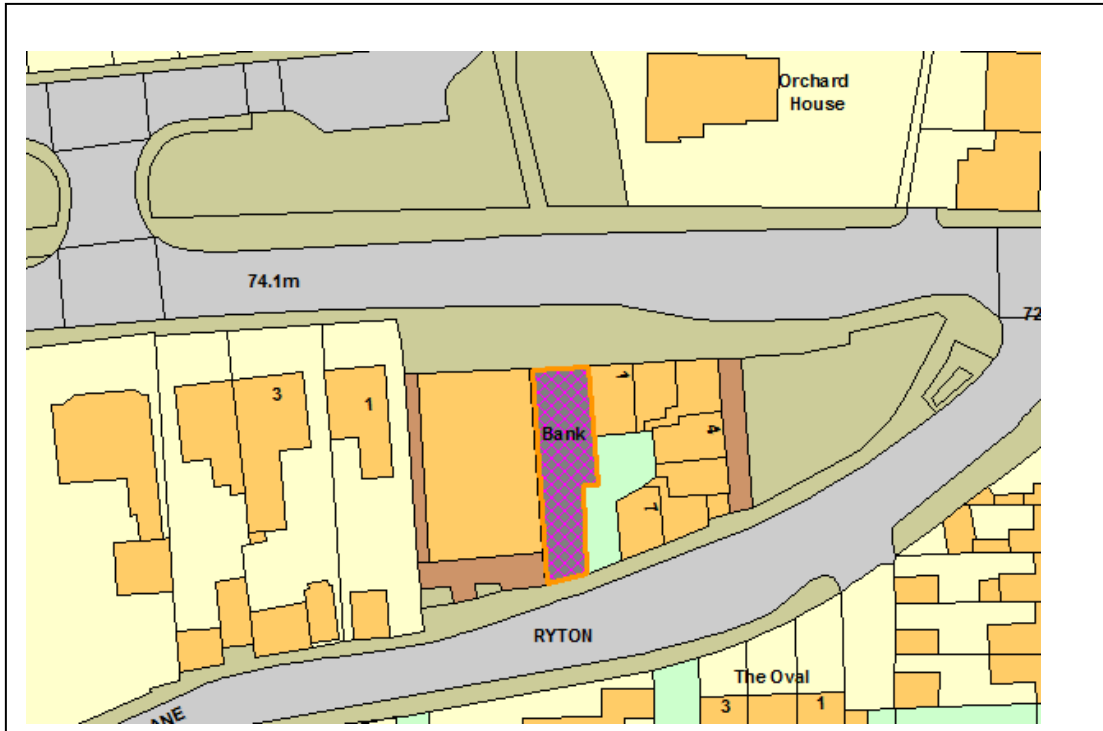
To comply with section 91 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.

3

The opening hours of the premises shall be restricted to 8am until 10pm every day.

Reason

To ensure that no disturbance is caused to neighbouring properties as a result of unreasonable trading hours at the premises in accordance with Policies DC2 of the Unitary Development Plan and policy CS14 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle Upon Tyne



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