

**7 DCCE2004/4316/F - CHANGE OF USE OF PREMISES FOR A2 PURPOSES AS A LICENSED BETTING OFFICE
42B, HOLME LACY ROAD, HEREFORD,
HEREFORDSHIRE, HR2 6BZ**

For: William Hill Organization Ltd, William Hill Organisation, Bridge House, 47-55 Bridge Street, Walsall, West Midlands, WS1 1LQ

Date Received: 15th December, 2004 Ward: St. Martins & Hinton Grid Ref: 51006, 38487

Expiry Date: 9th February, 2005

Local Member: Councillor Mrs. W.U. Atfield, A.C.R. Chappell and R. Preece

1. Site Description and Proposal

- 1.1 The application premises comprise an empty single storey retail unit (formerly occupied by a furniture clearance and sales company). The premises forms part of a parade of shops which includes a greengrocers, convenience store/post office, hairdressers and a takeaway/fish and chip shop. The parade is designated as a Local Shopping Centre.
- 1.2 In addition to the commercial premises there are a number of residential uses at first floor level adjacent to the site. Limited access for parking is available in front of the application site although the forecourt has been defined by concrete bollards separating it from the larger parking area in front of the premises immediately to the east. The premises benefits from an access to the rear alongside 1a and 16 Norton Avenue.
- 1.3 The surrounding area is predominantly residential although there is a public house further to the east of Norton Avenue that benefits from its own large forecourt parking area.
- 1.4 Planning permission is sought for the change of use of the vacant retail unit (Use class A1) into a licensed betting office (Use Class A2). There are some relatively minor external alterations proposed as part of this application involving the introduction of more glazing into the front elevation of the premises. The applicant advises that the intention is to relocate their existing premises at 16-18 Hinton Road.

2. Policies

2.1 Hereford and Worcester County Structure Plan:

CTC9 - Development criteria

2.2 Hereford Local Plan:

S13 - Local shopping centres

H21 - Compatibility of non-residential uses

2.3 Herefordshire Unitary Development Plan (Revised Deposit Draft):

- S1 - Sustainable development
- S2 - Development requirements
- DR2 - Land use and activity
- TCR2 - Vitality and viability
- TCR13 - Local and neighbourhood shopping centres

3. Planning History

- 3.1 HC900560PF - Conversion of garage area and storage area into retail unit and alteration to first floor flat entrance. Approved 5th March 1991.
- 3.2 CE2001/2013/F - Change of use of butchers shop to an advice centre for local residents. Approved 28th September 2001.
- 3.3 CE2002/3380/F - Link extension to existing shop. Approved 15th January 2005.

4. Consultation Summary

Statutory Consultations

- 4.1 None.

Internal Council Advice

- 4.2 The Traffic Manager raises no objection in view of the availability of off road parking in the locality and the likelihood that most trips will be local pedestrian trips linked to visits to other services.
- 4.3 Head of Environmental Health and Trading Standards raises no objection subject to a conditional control on opening hours.

5. Representations

- 5.1 Two letters of objection has been received from the following sources:

- Mrs. D. Edwards, proprietor of Putson Vision, 42c Holme Lacy Road, Putson, Hereford, HR9 6BZ.
- Mr and Mrs Baker, 41 Holme Lacy Road, Hereford

- 5.2 The concerns raised can be summarised as follows:-

1. Parking are is already completely inadequate for existing businesses and the flats above the shops.
2. Customers of the betting shop will tend to leave cars parked for longer periods of time meaning fewer spaces available.
3. Litter and rubbish

- 5.2 Hereford City Council recommend refusal on the grounds of a lack of on-site parking and potential noise nuisance.

5.3 The full text of these letters can be inspected at Central Planning Services, Blueschool House, Blueschool Street, Hereford and prior to the Sub-Committee meeting.

6. Officer's Appraisal

6.1 The main issues for consideration in the determination of this application are as follows:

- (a) the principle of non-retail use within the Local Shopping Centre;
- (b) the implications for parking and highway safety; and
- (c) residential amenity (including noise and parking arrangements).

Principal of Non-Retail Use

6.2 The application premises form part of a Local Shopping Centre where Policy S13 of the Hereford Local Plan establishes criteria for the consideration of development proposals. The requirements of the policy are such that additional retail floorspace will be permitted where this would not threaten the vitality and viability of the city centre and adequate parking, servicing and environment standards can be provided. The policy does not preclude the introduction of non-retail uses and infers support for other services that would meet the needs of the neighbourhood.

6.3 It is considered that the proposed licensed betting office use is complementary to the established retail and hot food takeaway uses in the immediate vicinity and as such that the principle of this proposal is acceptable.

Parking and Highway Safety

6.4 It is clear from the objections received to this application that the issue of parking provision has been identified as a key concern. It is acknowledged that the site itself benefits from very limited parking provision being segregated from the larger off-road parking areas in the locality. However it is not considered that the vehicular activity associated with the proposed use would result in any significant change when set against activity associated with the existing retail use such that there would be demonstrable harm in highway safety terms. It is noted that the use of a betting office might result in longer stays by customers but it is advised that there is considered to be sufficient off-road parking in the vicinity of the site to ensure that this would not represent a significant problem to existing businesses. Furthermore, it is recognised that a significant number of customers will be likely to be pedestrian or those linking car trips with the use of other shops and services in the parade.

6.5 The Traffic Manager raises no objections to the proposals and as such whilst the views of the proprietor of Putson Vision and the City Council are noted, it is not considered that these would justify the refusal of planning permission.

Residential Amenity

6.6 The applicants existing premises at 16-18 Hinton Road has a long and involved planning history primarily relating to the issue of opening hours and noise and disturbance associated with the use. In this location, careful consideration of the residential amenity of neighbouring occupiers is warranted. The applicant has advised

that normal opening hours operated are between 10.15am and 6.30pm during the winter months and 9.00am and 10.00pm during the summer, which would include Bank Holidays. The betting office would be open on Sundays from 11.00am to 5.00pm during the winter and 12.00pm in the summer. Reference is also made in submissions that very occasionally there is the need to accommodate sporting events outside these hours but the regulations governing betting offices restrict any use between midnight and 7.00am.

- 6.7 The existing retail use of the application premises is not time restricted whilst it is understood that the applicants current premises at Hinton Road are required to close at 6.30 p.m.
- 6.8 In the first instance it is advised that the Head of Environmental Health and Trading Standards raises no objection subject to an appropriate restrictive condition in relation to opening hours. The premises are single storey and as such there is no direct impact on neighbouring occupiers. The impact of this proposal would essentially be limited to the accommodation above the video shop, takeaway restaurant and greengrocers and the flats on Norton Avenue. It is suggested that the impact of the fish and chip shop and the slightly more distant public house upon neighbouring occupiers would be more significant than the introduction of a betting office and furthermore that the normal opening hours proposed are consistent with existing uses in the locality such that activities associated with the proposed use would not cause demonstrable harm.
- 6.9 The internal layout of the betting office is such that the public area is restricted to the front of the premises whilst the rear, which has a more direct relationship with 1a and 1b Norton Avenue, would be used for offices and staff facilities.
- 6.10 In the light of the above and with appropriate conditions it is considered that the amenities of local residents can be satisfactorily preserved such that the proposal would accord with Policy H21 of the Hereford Local Plan.

RECOMMENDATION

That, subject to no valid planning objections being received by the end of the consultation period, the Officers named in the Scheme of Delegation to Officers be authorised to approve the application subject to the following conditions:

1 A01 (Time limit for commencement (full permission))

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

2 The use hereby permitted shall not be open to customers outside the hours of 9:00am and 10:00pm Mondays to Saturdays, and 11:00am and 5:00pm on Sundays (Non Standard Condition)

Reason: To safeguard the amenities of the locality.

Informative:

1 N15 -

Decision:

Notes:

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Background Papers

Internal departmental consultation replies.