

Application for Determination

Parish	Oulton Broad		
Reference	BA/2012/0220/CU	Target date	12/09/2012
Location	113 - 115 Bridge Road, Lowestoft, Suffolk, NR33 9JU		
Proposal	Change of use for Betting Shop (Use Class A2) to Restaurant (Use Class A3)		
Applicant	Mr Eric Pearce		
Recommendation	Approve subject to conditions		
Reason referred to Committee	Anticipated Third Party Objections		

1 Description of Site and Proposals

- 1.1 The application site forms part of a two and a half storey building containing four ground floor commercial units with 3 residential units above. The property sits facing Bridge Road to the east and is within Oulton Broad, its rear curtilage extends towards Nicolas Everett Park and the Boulevard Amusement Arcade to the west and north. The park's entrance and car park exists to the south. The building sits within a mixed use area where Public Houses, Bars, Restaurants, Gift Shops and residential properties surround.
- 1.2 The application site itself contains a betting shop and the ground floor of one of the residential properties that largely exists on two floors above the betting shop. The proposal is for the change of use of the betting shop, the ground floor of the residential property, and external garden areas and stores, for use as a Restaurant with internal and external dining areas.
- 1.3 The betting shop was formerly a gift shop but was changed in 2009 to a betting shop under Permitted Development Rights.

2 Site History

In 2007 planning permission was granted for the Change of Use from A1 Retail to A3 Restaurant - BA/2007/3256/HISTAP.

In 2009 planning permission was granted for the erection of a satellite dish - BA/2009/0037/FUL.

3 Consultation

Broads Society - No objections.

District Member - Response awaited.

Environment Agency - No comments. We would advise a Flood Response Plan is prepared and flood proofing measures retro-fitted.

Waveney District Council Environmental Health - Response awaited.

Waveney District Council Access Officer - Response awaited .

Suffolk County Council as a Highways Authority - Response awaited.

4 Representation

To be reported.

5 Policies

5.1 Core Strategy (2007)

[Core Strategy \(Adopted Sept 2007\).pdf](#)

CS9- Supporting, Widening and Strengthening Tourism

CS11- Appropriate Location of Tourism and Recreational Development

CS12- Sustainable Location of Holiday Accommodation.

5.2 Development Management Plan DPD (2011)

[DMP DPD - Adoption version.pdf](#)

DP10- Advertisements and signs

DP14- General Location of Sustainable Tourism and Recreational Development

DP18- Protecting General Employment

DP27- Visitor and Community Facilities and Services

DP28- Amenity

DP29- Development in sites with a high probability of flooding.

5.3 Other material planning considerations: National Planning Policy Framework (2012).

6 Assessment

6.1 The main issues to consider in the determination of this application are the principle of the change of use, impact on neighbouring amenity, impact on flood risk, and impact on highways.

- 6.2 Adopted Development Management Policies DPD, Policy DP18 outlines that:

'Sites and properties currently in employment use will be protected by permitting: (a) The re-use for employment uses in the first instances...'

In addition, Policy DP27 outlines that:

'Applications for the change in use or redevelopment of an existing community, visitor or recreational facility or service that meets a local need or contributes to the network of facilities through the river valleys will only be permitted where: ... (a) There is an equivalent facility available in the locality or one is made available prior to the commencement of redevelopment, to serve the same need; or (b) It can be demonstrated through a viability assessment that the current use is economically unviable '.

The use as a restaurant would maintain the employment use. The existing betting shop is currently vacant as there was not sufficient local demand for its use. As the use as a restaurant ensures the property remains in an employment use, and as it is considered that the existing use did not appear to meet a local need, the change of use to a restaurant is considered acceptable in principle.

- 6.3 It is also considered that there is a general policy support for the proposal at both the National and Local level as the proposal helps provide a local and visitor facility with a wider target market than that of a betting shop, therefore increasing economy and diversity.
- 6.4 In terms of impact on neighbouring amenity, it is acknowledged that the proposed restaurant and external dining area sits directly below and behind three residential units and there would therefore be the potential for an increased impact on residential amenity. However, the site is situated within an area where late night commercial properties and facilities are in abundance and it is not unusual for residential properties to sit above commercial properties in locations such as this. In addition, the residential unit immediately above the proposed restaurant is to be used as the Restaurant Manager's accommodation which would act as a buffer to the activity below from the other two residential units beyond. The impact on neighbouring amenity is therefore considered to be minimal. However, it is considered that there should be a time restriction in the form of a condition in order to limit the period over which the proposed restaurant could be open to the public to protect residential amenity. It is considered appropriate to restrict the opening hours to 9am-11pm daily. This is consistent with the opening hours of other local facilities and would not represent an increase. As details have not been submitted it is also considered that external extraction and audio equipment should be conditioned to be agreed at a later date.

6.5 The site is within Flood Risk Zone 3, however, the proposed use is no more vulnerable in terms of flood risk than the existing use, therefore, it is not considered that the change in use would result in any increased risk to people of property. A condition is recommended regarding the details of a Flood Evacuation Plan and Notice in order to help improve impact on flood risk of inhabitants.

6.6 It is not considered that there would be any significant increase in traffic movements in terms of deliveries and no adverse impact on the local highway network. It is also considered that there is adequate public parking available within the immediate vicinity and the site is within easy walking distance of public transport.

7 Conclusion

7.1 The proposal represents an acceptable form of development as an appropriate local and visitor facility would be provided and as there would be no adverse impact on local amenity, flood risk, or highways.

8 Recommendation

8.1 Approve subject to the following conditions:

- (i) Time limit.
- (ii) In accordance with plans submitted.
- (iii) Opening hours restriction 9am-11pm.
- (iv) Details of external extraction unit to be agreed.
- (v) Details of audio equipment to be agreed.
- (vi) Details of a Flood Evacuation Plan and Notices to be agreed.
- (vii) Details of any external signs and lighting to be agreed.

9 Reasons for Recommendation

9.1 The Change of Use is considered in accordance with National and Local Plan Policies and particularly considered to be in accordance with The National Planning Policy Framework (2012) and Policies CSS9, CS11 and CS12 of the Core Strategy (2007) and Policies DP10, DP14, DP18, DP27, DP28 and DP29 of the Development Management Policies DPD (2011).

Background papers: BA/2012/0220/CU

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Date of Report: 30 July 2012

List of Appendices: APPENDIX 1: Site Location Plan

APPENDIX 1

BA/2012/0220/CU - 113-115 Bridge Road, Lowestoft
Change to the permitted use of the property from that of a Betting Shop (Use Class A2) to Restaurant (Use Class A3)

