



Report of the Chief Planning Officer

PLANS PANEL EAST

Date: 16 June 2011

Subject: APPLICATIONS 11/01678/FU – Change of use of shop (use class A1 to betting office (use class A2) including alterations, new shop front and two air condenser units to roof, and 11/01679/ADV – Two illuminated signs, 95a Queen Street, Morley, Leeds.

APPLICANT

Ladbrokes PLC

DATE VALID

21st April 2011

TARGET DATE

16th June 2011

Electoral Wards Affected:

Morley South

Ward Members
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

GRANT PERMISSION subject to the following conditions

1. Standard full time limit.
2. Development in accordance with approved plans
3. Opening hours 0900 -2200 hours daily.
4. Air condition unit noise emission condition
5. Refuse collection

Reason for approval: The principle of the change of use is considered to be acceptable as the proposal does not ham the vitality or viability of the primary shopping frontage, raises no issues of detrimental harm to the character and appearance of the Morley Town Centre Conservation Area or residential amenity and no issues harm to highways safety. As such, the application is considered to comply with policies GP5, BD6, N19, S2, S3, SF7 and T2 of the UDP Review, as well as guidance contained within PPS1, PPS5 and PPS6, and having regard to all other material considerations, the application is recommended for approval

RECOMMENDATION:**GRANT ADVERTISEMENT CONSENT** subject to the following conditions:

1. Standard advertising time condition

Reason for approval: The illuminated signage is of appropriate scale, design and materials for display in a Conservation Area and as such, the application is considered to comply with policies GP5, BD8 and BD9 of the UDP Review, as well as guidance contained within PPG19 and having regard to all other material considerations, the application is recommended for approval

1.0 INTRODUCTION:

1.1 This application is brought to Plans Panel (East) at the request of Councillor Judith Elliott due to local sensitivity regarding the proposals.

2.0 PROPOSAL:

2.1 11/01678/FU. The proposal is for the change of use of shop (use class A1) to betting office (use class A2) including alterations, new shop front and two air condenser units to roof.

2.2 11/01679/ADV. The proposal is for two illuminated signs.

2.3 The application proposes the change of use of part of the Morley market building from its current A1 retail use to a Licensed Betting Office that falls within the A2 Financial and Professional Services use class with opening hours of 0900 hours to 2200 hours daily. It will effectively create a separate unit with access taken from the corner of Hope Street and Queen Street and a separate access taken from the side on Hope Street. This application is a revised version of a previously withdrawn submission that proposed the unit to the North of the current proposal effectively removing the main market entrance on Queen Street. This application is submitted in light of comments received through representations that expressed concern at the loss of the main entrance to the market from the main shopping street in Morley and from advice given at the meeting with officers on 23 March 2011.

2.4 Physical alterations to the building entail creating a glazed area to the corner of the building creating a main entrance to the new premises whilst retaining the main entrance to the market. Internally, a new minimum 3 metre wide corridor is created with new units to the side. Finally 2 air conditioning units will be placed on the roof. However, these units will not be seen from ground level as the whole building is surrounded by a raised plinth that screens the services from view.

2.5 The signage application consists of two powder coated aluminium fascia signs emblazoned with the company logo in 50 cm high letters with the letters being illuminated in white text set on a red background. A third sign above the side entrance door is non-illuminated and therefore does not require consent.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application site is located on the Eastern side of Queen Street at its junction with Hope Street within both the designated S2 Morley Town Centre and also the Morley Town Centre Conservation Area. The part of the site that is the subject
- 3.2 The site is currently a large indoor market. It presents little in the way of an actual frontage with only the front entrance on Queen Street and two side entrances on Hope Street offering any break to the otherwise rendered frontage along the two lengths.
- 3.3 The surrounding area is commercial and retail in character with a mix of differing traditional properties fronting the main pedestrianised town centre street of Morley with, to the South East, a more modern multi premises shopping centre. There is a small amount of residential occupation above some of the commercial properties on Queen Street.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 11/00404/FU: Change of use of part of market to form financial and professional services (A2) including new frontage and two air condenser units to rear; relocation of market entrance. Withdrawn 30 March 2011.
- 4.2 11/00403/ADV: Two illuminated signs. Withdrawn 30 March 2011.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 Whilst the previous application was under consideration, a meeting was held to raise concerns about that submission and also to give advice to the applicant on potential alterations that may overcome those concerns. The application has been submitted broadly in line with the advice given.

6.0 CONSULTATION RESPONSES:

- 6.1 Statutory Consultations:
None
- 6.2 Non Statutory Consultations:
a) Highways – No objection
b) Neighbourhoods and Housing – No objection subject to a condition to control noise from the air conditioning system.

7.0 PUBLIC/LOCAL RESPONSE:

- 7.1 The application was advertised by site notice on 6 May 2011 and by newspaper advertisement on 18 May 2011. At the time of writing this report there had been no letters of representation received. However the period for submission of representations does not expire until 8 June. Any letters received will be updated verbally.
- 7.2 Morley Town Council – Object to the proposal due to concerns of a decrease in footfall to the market caused by the loss of the side entrance. Additional

concerns are raised with regard to the safety of the new entrance to the corner of the building and the accessibility of the new layout

8.0 PLANNING POLICIES:

8.1 The development plan comprises the Regional Spatial Strategy to 2026 (RSS) and the adopted Leeds Unitary Development Plan (Review 2006). The RSS was issued in May 2008 and includes a broad development strategy for the region, setting out regional priorities in terms of location and scale of development. However, the RSS is a strategic planning document, used to inform more detailed policies at a local level. Accordingly, it is not considered that there are any particular policies which are relevant to the assessment of this proposal. The following policies from the UDP are relevant:

- Policy GP5 seeks to ensure that development proposals resolve detailed planning considerations, including amenity.
- Policy BD6 refers to the scale, form, materials and detailing of an extensions design in respect of the original building.
- Policy BD8 refers to design and location of signage within the streetscene.
- Policy BD9 refers to signage within conservation areas.
- Policy N19 ensures that all new buildings preserve and enhance the character of Conservation Areas.
- Policy S2 ensures the maintenance and enhancement of the vitality and viability of defined town centres.
- Policy S3 defines initiatives to maintain and enhance the vitality and viability of defined town centres.
- Policy SF7 controls the amount of non-retail frontage within primary shopping centres.
- Policy T2 ensures that development proposals should not create new, or exacerbate existing, highway problems.

National Policy/Guidance:

- PPS1 Sustainable Development
- PPS4 Planning for Sustainable Economic Growth
- PPS5 Planning and the Historic Environment
- PPS6 Planning for Town Centres
- PPG19 Outdoor Advertisement Control

9.0 MAIN ISSUES:

- Principle of the change of use.
- Character and appearance of the alterations in the context of the Conservation Area.
- Access and highways safety considerations.
- Impact on residential amenity.

10.0 APPRAISAL:

The principle of change of use .

- 10.1 The application site is located within the primary shopping frontage in Morley Town Centre, an S2 centre as defined in the UDP. Policy SF7 restricts the proportion of non-A1 uses to no more than 30% of the overall frontage length, in order to safeguard the primary shopping function of the retail centre. Currently, 2 units (of 10, including the market frontage) are in non-A1 use, which

constitutes 20% of the frontage in terms of the number of units. The proposed change of use of part of the market would increase the number of frontage to 11 with 3 non-retail raising the proportion of non-retail uses to 27.3% across the entire frontage. In terms of frontage length, the current figures are 10.5 metres out of a total of 68 metres that are non A1 retail. This equates to 15.4% of the total frontage but the addition of this proposal would increase the amount of non retail frontage to 16 metres out of 68 metres equating to 23.5%. As a result, this change of use is within the criteria set out in policy SF7. The unit in question is a prominent corner unit but does not promote its importance in that it is currently a rendered wall and the opening up of this corner may actually increase activity around this area. As a result, it is considered that the change of use of part of a small part of the market will not harm the essential primary function of providing convenient and accessible shopping facilities within a reasonably compact area and therefore will not harm the vitality and viability of the Morley town centre. Additionally, it is contended within the supporting documentation that the market will benefit from the financial stability from the granting of a long term lease to the applicant and from enhancement to the lighting and flooring as well as the creation of new purpose built stalls that would enhance the market as a whole.

Character and appearance of the alterations in the context of the Conservation Area

- 10.2 The site is located within the Morley Town Centre Conservation Area. As a result, it is important the proposals should preserve and enhance the character and appearance of the conservation area. At the current time, the application site presents a rather unattractive and dead frontage to a prominent corner within the area and the introduction of a new glazed entrance will only enhance the appearance of this corner using materials that are appropriate.
- 10.3 The signage will be set into a band already in place around the premises and will be relatively small in comparison to the whole frontage and although illuminated, it will only be the individual letters and as a result it is not considered that it will not be harmful to the visual amenity of the Conservation Area

Access and highways safety considerations

- 10.4 It is considered that, as the site is located within the Morley Town Centre and that the property is already in commercial use, the creation of the new access and the change of use of the premises raise no issues and it is acceptable in terms of highway safety.

Impact on Residential Amenity

- 10.5 Whilst the site is located in a predominantly commercial and retail area, there are some isolated residential properties located above retail outlets and the public house. Given that the use is within a Town Centre with other uses operating to later hours there should be little issue with disturbance but to ensure protection of the amenity of residents, conditions are proposed to control opening hours and noise emissions from the air conditioning units and as a result, it is considered that there will be no detrimental harm to residential amenity created by the proposal.

11.0 CONCLUSION:

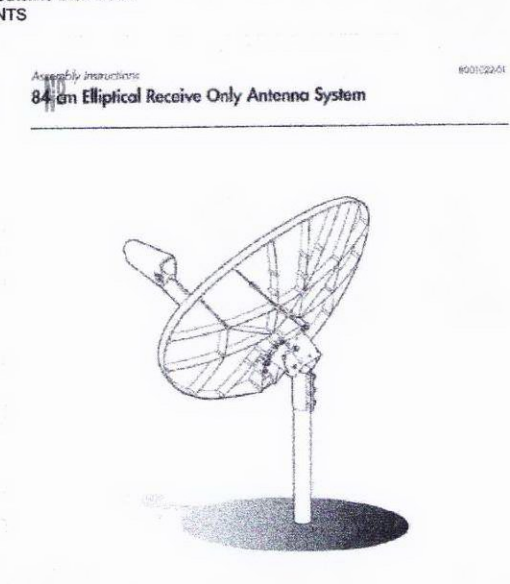
11.1 On balance, it is considered that subject to appropriate conditions as discussed above, the proposal is acceptable, it is therefore recommended that the applications be approved.

Background Papers:

Application files 11/01678/FU and 110/01679/ADV

Certificate of ownership:

Certificate B completed

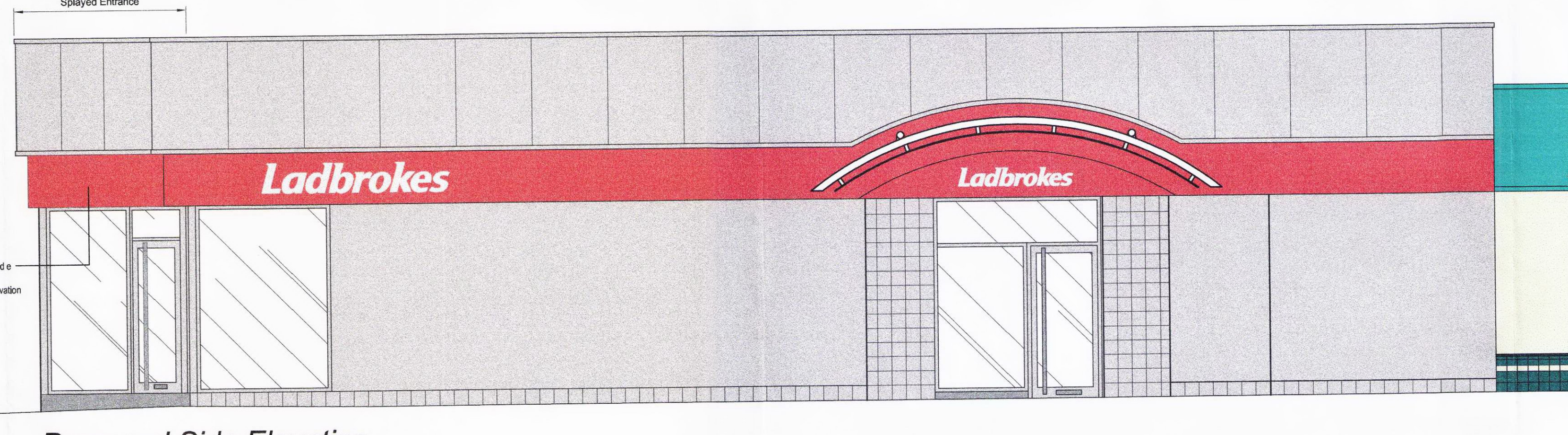


Signage -
New non illuminated background panel to be secured to framework in existing position on shopfront.
Panels to be fabricated from 1050 grade 14swg (2mm) aluminium with 100mm returns to all sides and folded upstand for weathering as required. All exposed faces to be powder coated to match RAL 3020 matt with 32.5% gloss levels.
All fixing screws, bolts etc. to be stainless steel on ferrous with powder coated finish to match background panel- RAL 3020 matt with 32.5% gloss levels.
Text casings to be fabricated from 14swg aluminium to be CNC routed to allow push through detail to protrude 21mm from the face of the aluminium face. Text to consist of 3mm 050 cast acrylic bonded to 20mm clear cast acrylic using 'Tensol 70 liquid acrylic'.
Push through detail to be bonded to a 3mm 050 cast acrylic backing panel. Backing panel to be fixed to the rear of the aluminium face using shot studs, double sided tape and the perimeter of backing to be sealed using marine grade sealant.
Lettering only to be illuminated via white Tuftec LED giving 850cd/sqm

Indicative position of 84cm Ø satellite receiving dish shown coloured white, mounted on roof, extended above roof line sufficient to obtain adequate line of site. SIS dish to be well mounted using standard IRD wall brackets and possibly M12 fixing bolts.
NB: Proposed satellite dish is required to receive digital horse racing pictures and data from SIS Ltd. The dish is out of site and not clearly visible. Exact position TBC.



Proposed Splayed (True) Elevation Main Elevation (Splay to Queen Street/Hope Street)

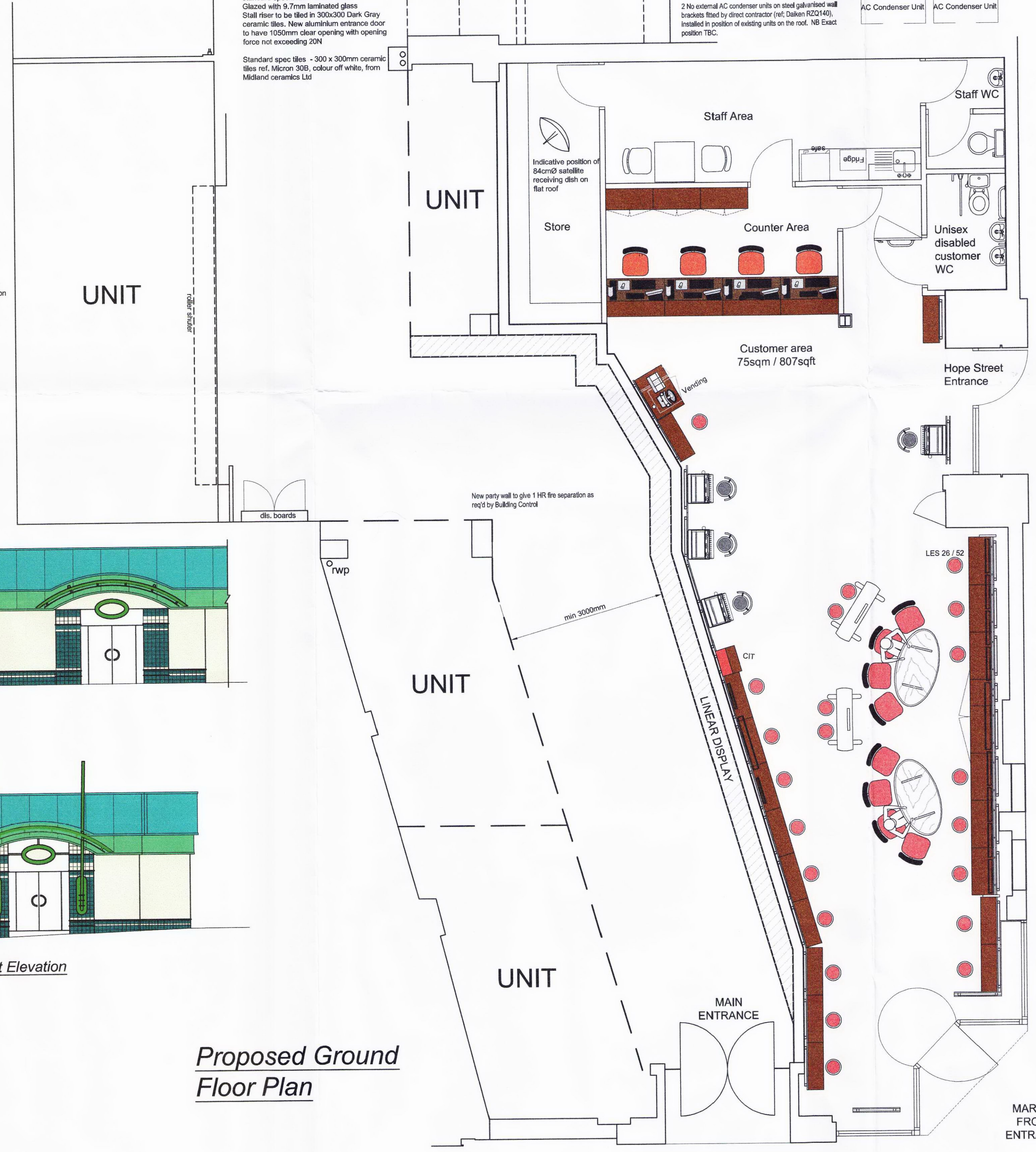


Proposed Side Elevation (Hope Street)

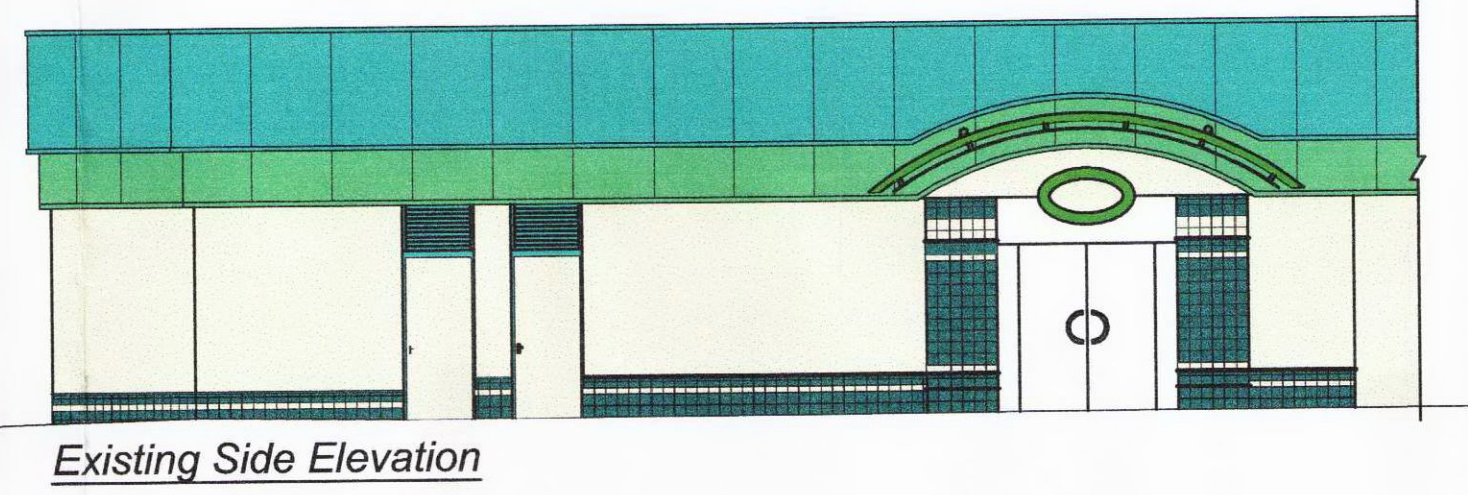


Proposed Front Elevation (Queen Street)

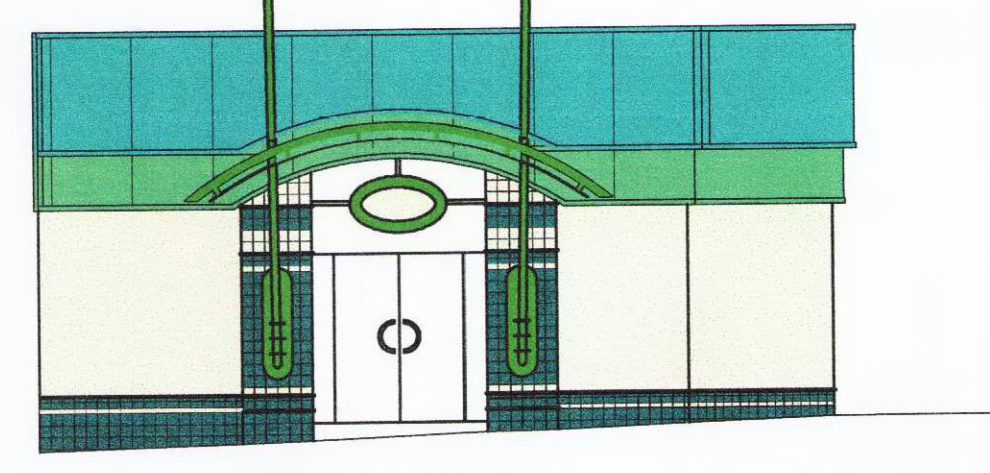
New aluminium framed shopfront and doors with PPC finish to match colour ref: RAL9002 (off white) installed to comply with standard specification and details. Glazed with 9.7mm laminated glass. Stall riser to be tiled in 300x300 Dark Gray ceramic tiles. New aluminium entrance door to have 1050mm clear opening with opening force not exceeding 20N.
Standard spec tiles - 300 x 300mm ceramic tiles ref. Micron 308, colour off white, from Midland ceramics Ltd



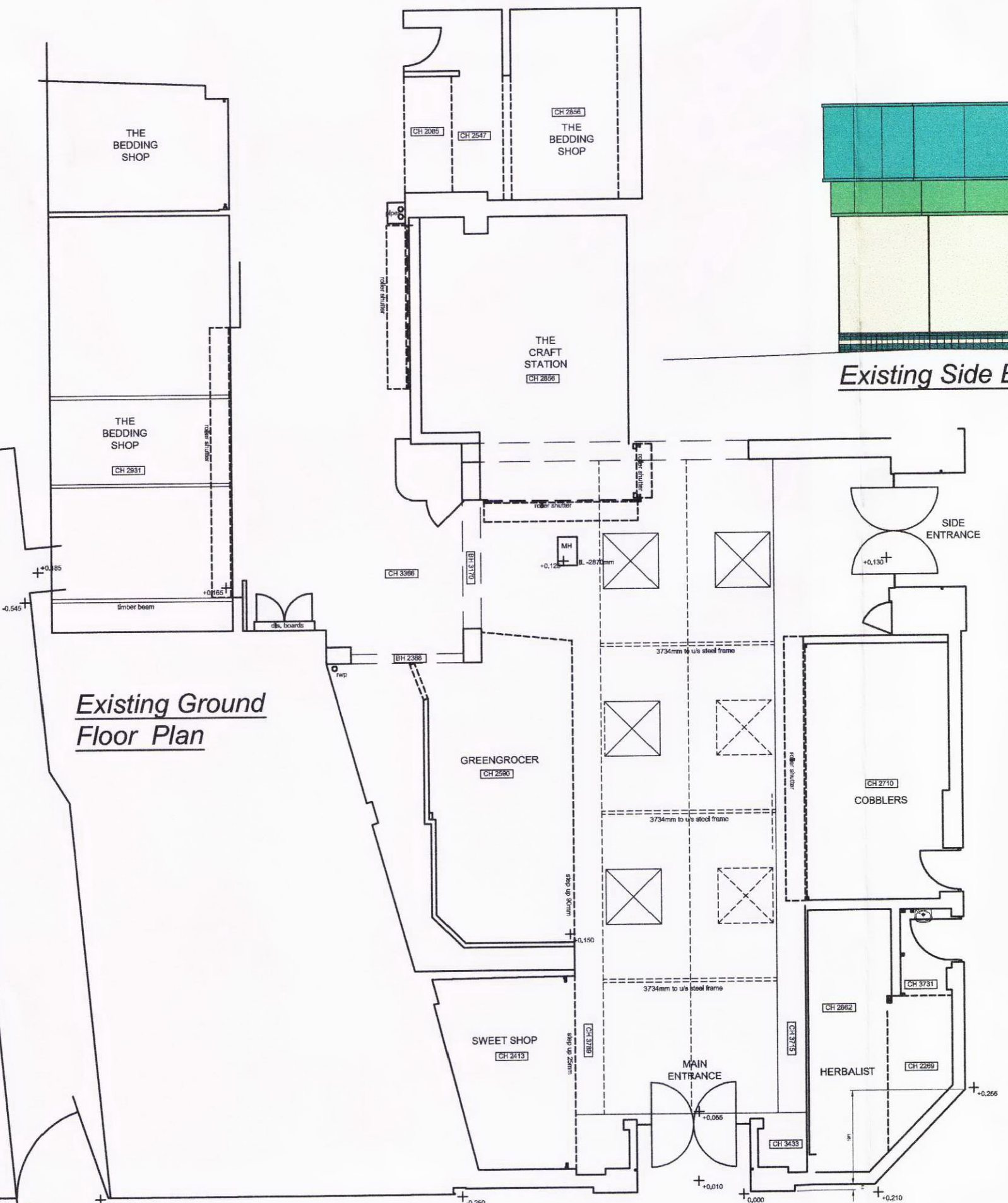
Proposed Ground Floor Plan



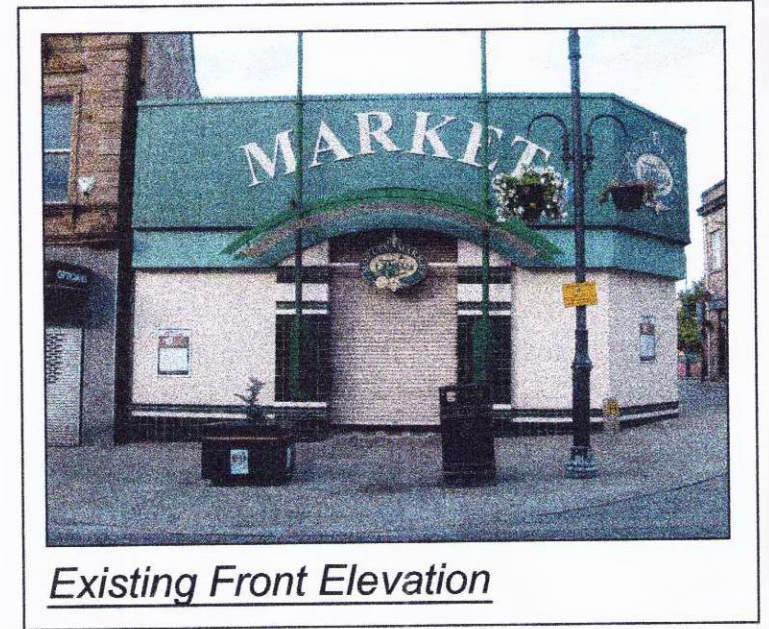
Existing Side Elevation



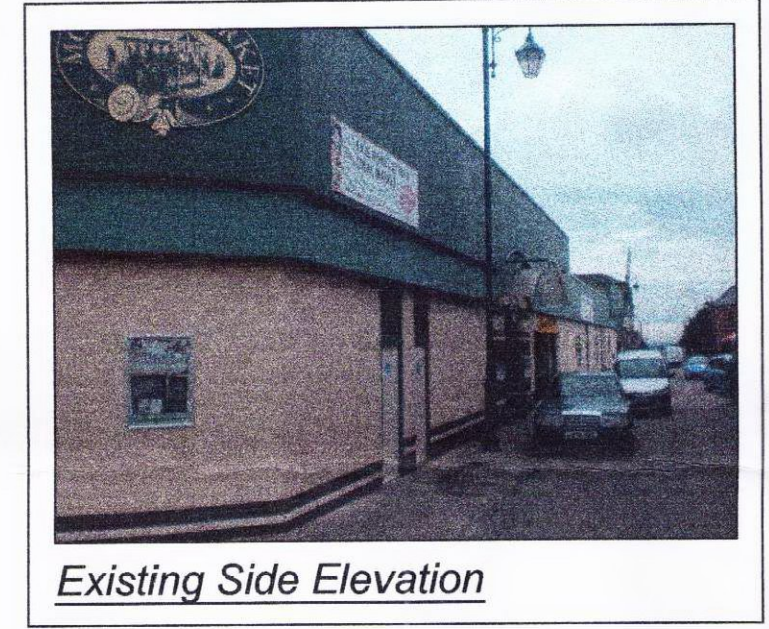
Existing Front Elevation



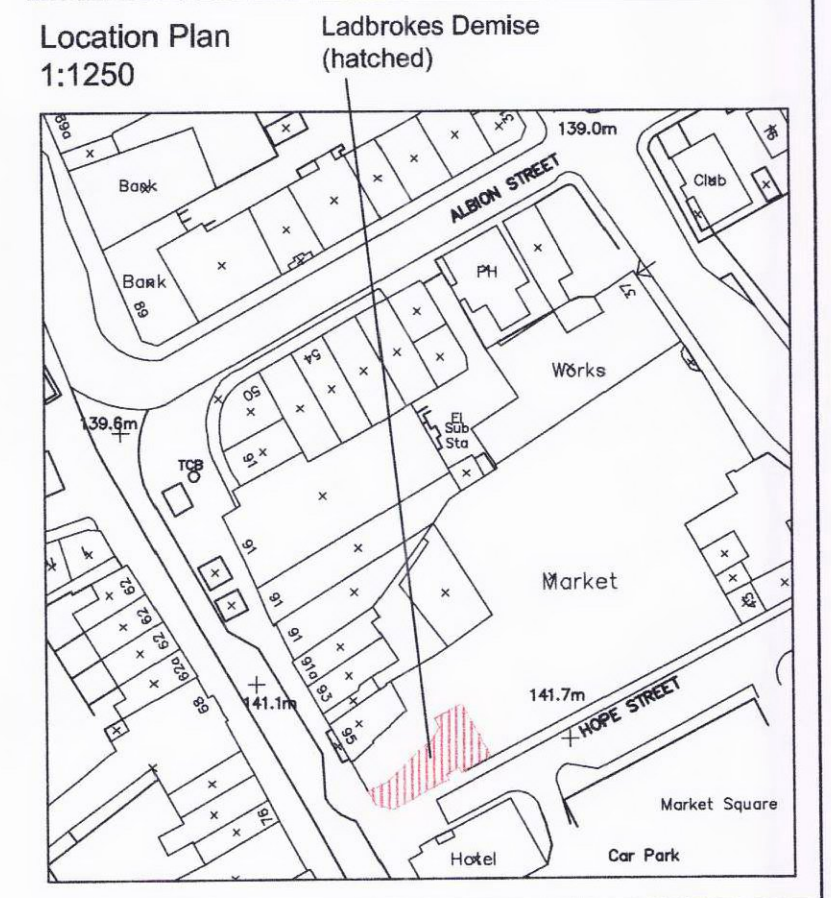
Existing Ground Floor Plan



Existing Front Elevation



Existing Side Elevation



Rev	Date	Description
A	31.10.10	Revised in line with Client comments.
B	06.12.10	Revised in line with Client comments.
C	11.02.11	Internal alterations
D	18.03.11	Boundary demise lines clarified
E	29.03.11	Scheme amendments

Ladbrokes

Address
Morley Market
Morley
Leeds

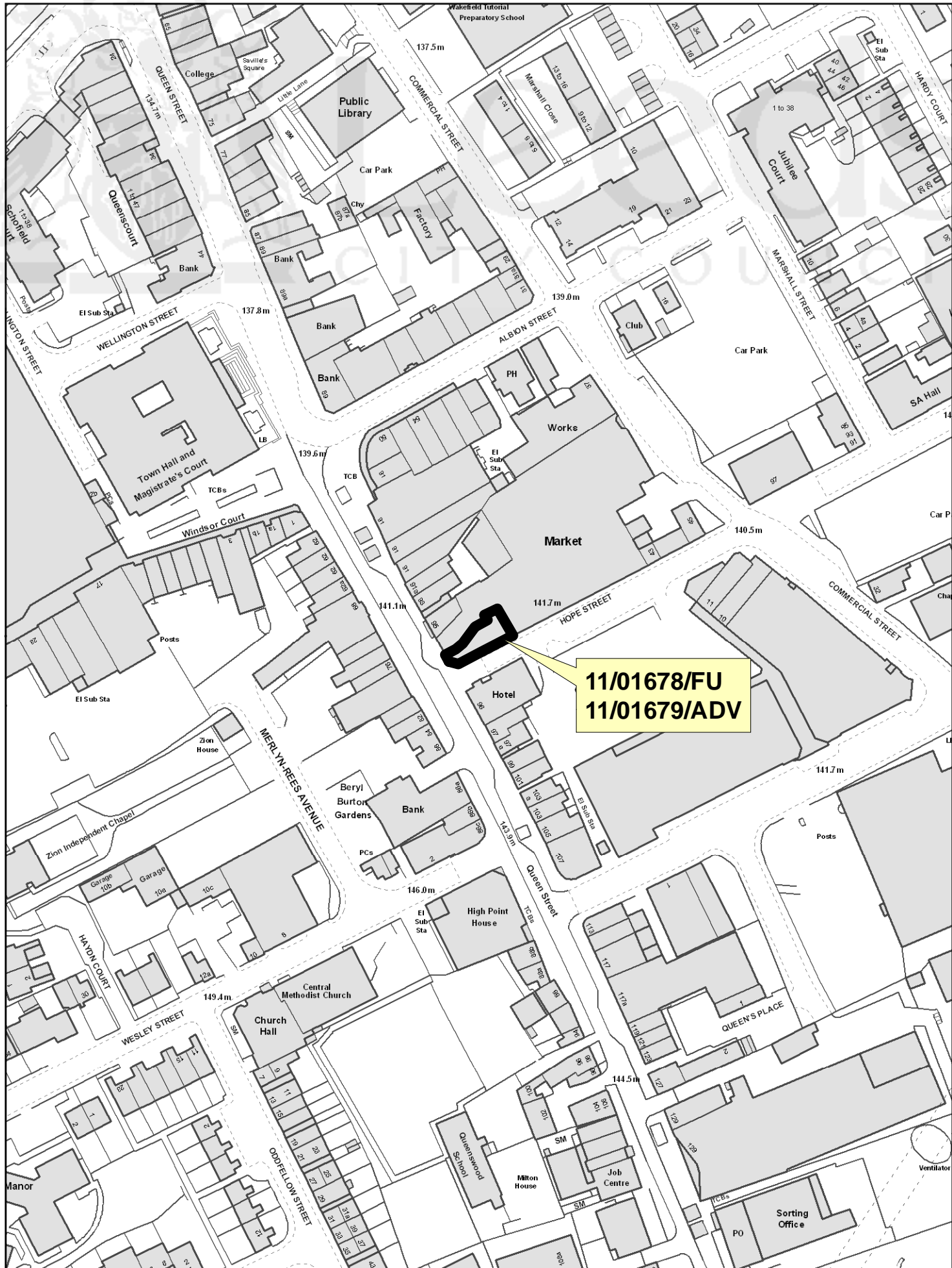


Title
Proposed Layout & Elevations

Drawn	AJB	Date	31.10.10	Scale	1:50
Rad	117	Location	TBC	Customer Area	As noted

Drawing Number
A/AJB/1760/10/04

DEVELOPMENT & LICENSING
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EAST PLANS PANEL