

**THE HIGHLAND COUNCIL**  
**CAITHNESS, SUTHERLAND & EASTER ROSS PLANNING**  
**APPLICATIONS AND REVIEW COMMITTEE**  
**15 JULY 2008**

Agenda Item	2.8
Report No	40/08

**08/00184/FULCA: CHANGE OF USE FROM RETAIL SHOP TO RESTAURANT AND TAKEAWAY AT 15 BRIDGE STREET, WICK**

**Report by Area Planning and Building Standards Manager**

**SUMMARY**

Planning application is made to change the use of an existing Class 1 shop to a restaurant and takeaway at 15 Bridge Street, Wick. The proposal is contrary to part of Policy C2 of the Wick Chapter of the Caithness Local Plan which presumes against further ground floor office and other non-retail uses in the main shopping areas of Bridge Street and High Street where they would interrupt continuous retail frontages. On either side of this unit lies a jewellery shop and a clothes/shoe shop. The proposal would therefore represent the interruption of this continuous retail frontage. Notification was given to the three Wick Members that it was the intention to issue a delegated refusal because it was contrary to the Local Plan but the three Wick Members have requested that this application be brought before the Committee for determination.

**The recommendation is to refuse planning permission.**

Ward Number 3 –Wick

Applicant: Mr. R. J. MacKay, Tomirra, 13 West Banks Terrace, Wick

**1. PROPOSAL**

1.1 Application is made for the change of use of an existing vacant retail shop at 15 Bridge Street, Wick to a restaurant and takeaway. The application premises were last used as “a 99p shop” and prior to that were an ironmongers.

**2. PLANNING HISTORY**

2.1 None on file.

**3. PUBLIC PARTICIPATION**

3.1 The application was advertised on 2 May 2008 under section 34 of the Act and as a departure from the provisions of the development plan, the period for representations to be made expiring on 23 May.

- 3.2 One letter of objection has been received on the basis that there are sufficient restaurant and takeaways already in the centre of Wick.
- 3.3 A further letter, whilst not objecting to the proposal in principle, indicates concern about possible nuisances being created by way of litter and smell.

#### **4. CONSULTATIONS**

- 4.1 **Environmental Health Officer:** No objections subject to an appropriate condition being attached to any consent with regard to the control and dispersal of cooking odour from the premises.

#### **5. POLICY**

- 5.1 The following policies are relevant to the assessment of the proposal:

**Highland Structure Plan:**

- G2 Design for Sustainability

**Caithness Local Plan (Adopted September 2002):**

- Policy C2 of the Wick Chapter of the Local Plan which in part states that “within the defined commercial core area the Council will.....presume against further ground floor office and other non-retail uses in the main shopping areas of Bridge Street and High Streets, where they would interrupt continuous retail frontages.....”.

- 5.2 The proposal also requires to be assessed against the following relevant Scottish Planning Policies (SPP); National Planning Policy Guidelines (NPPG); and Planning Advice Notes (PAN):
- SPP 8 Town centres and retailing

#### **6. PLANNING APPRAISAL**

- 6.1 **Determining issues** – Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.
- 6.2 The proposal requires to be assessed against the appropriate policies of the Development Plan, supplementary guidance and National Planning Policy and Guidelines, as referred to in the Policy section. In particular, the proposal requires detailed assessment of the following fundamental issues:
- whether the principle of development is appropriate in terms of policy
  - whether the layout of development is appropriate
  - the impact on the amenity of the area and residents
  - other material issues raised by the applicant and objectors

- 6.3 The overriding issue here relates to Policy C2 as contained in the Local Plan which states a presumption against the change of use of retail uses to non-retail uses on the ground floor of premises on Bridge Street and High Street where they would interrupt continuous retail frontages. On one side of this application site lies a jeweller shop and on the other lies a clothes/shoe shop. This proposal to change an existing Class 1 shop to restaurant and takeaway would obviously be an interruption into what is a small section of continuous retail frontage within Wick Town Centre and is therefore clearly contrary to the Local Plan.
- 6.4 On this basis, the recommendation in this instance is that planning permission be refused.

## **RECOMMENDATION**

### **Refuse planning permission for the following reason:**

1. The proposal is contrary to Policy C2 of the Wick Chapter of the Caithness Local Plan which presumes against the introduction of further ground-floor office and other non-retail uses in the main shopping areas of Bridge Street and High Street, Wick where these would interrupt a continuous retail frontage.

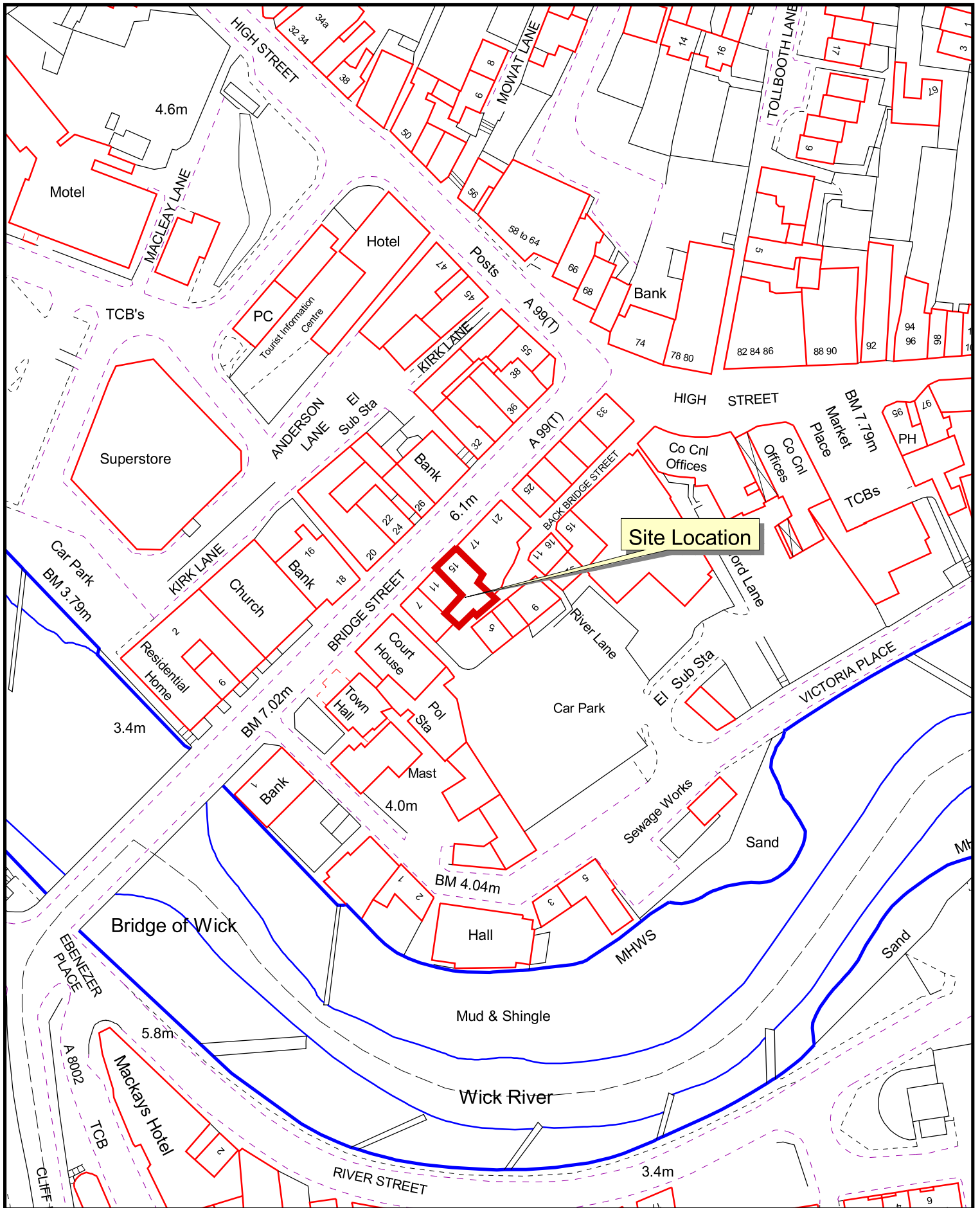
Signature: Allan J Todd

Designation: Area Planning & Building Standards Manager

Author: Iain Ewart 01955 607751

Background Papers: As referred to in the report above

Date: 7 July 2008



08/00184/FULCA  
 Change of use from retail shop to restaurant and takeaway at  
 15 Bridge Street, Wick, KW1 4AJ

Mr R J Mackay  
 Tomirra  
 13 West Banks Terrace  
 Wick

Date: 08 July 2008

**SUPPLIED BY THE HIGHLAND COUNCIL**

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