

Location 16 The Broadway, Wembley, HA9 8JU
Description Change of use from retail (Use Class A1) to cafe (Use Class A3), erection of bin and cycle store, roof-top flue, replacement lattice roller shutter and boundary fence to rear of premises

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The 21 day minimum consultation period ended on 22/06/10. The following comments have been received:

Highways - no objections subject to the conditions outlined in the main report relating to the provision and retention of the proposed servicing bay and refuse/recycling storage area.

Additional objections received:

A petition objecting to the proposed change of use has been received, with 22 signatures attached. The grounds for objection are;

- *With the number of existing A3 uses in this parade a further one will lead to extra traffic and congestion.*
- *An additional A3 use will lead to further parking problems in the area.*
- *The use of the premises is causing anti-social behaviour.*
- *The use of the premises as a Shisha cafe results in anti-social behaviour.*

Officers have given due consideration to these grounds for objection. Members should note that there are only 2 existing A3 uses in the parade, and a further A3 use is not considered to result in over concentration. It is noted the Council's Transportation Department does not object to the proposal. A condition will secure the provision of a rear servicing bay so that any loading/unloading can be done without impeding the free flow of traffic on the adjoining highway.

Officers recognise the concerns of local residents and businesses regarding anti-social behaviour at the premises linked with its current or past use. This application is for the use of the premises as a cafe/restaurant only and the applicant has stated that there will be no shisha smoking in the future. Officers are seeking to control the use through conditions restricting the hours of use, prohibiting the use of the rear yard by customers, restricting the use of amplified music/sound and requiring the installation of a suitable kitchen extract system. It is hoped that these additional controls will prevent future anti-social behaviour or nuisance in the future. If the applicant continues to allow shisha to be smoked on the premises then they are liable to prosecution by the Council's Environmental Health Team who have been monitoring the premises for non-compliance with the Health Act 2006.

Wording of Conditions

It is recommended that Condition 13 be amended to include the words;
"and the ducting shall be implemented fully in accordance with the details set out in the report and retained as such thereafter, unless otherwise agreed in writing by the local planning authority".

Recommendation: Approve subject to re-wording of Condition 13.