

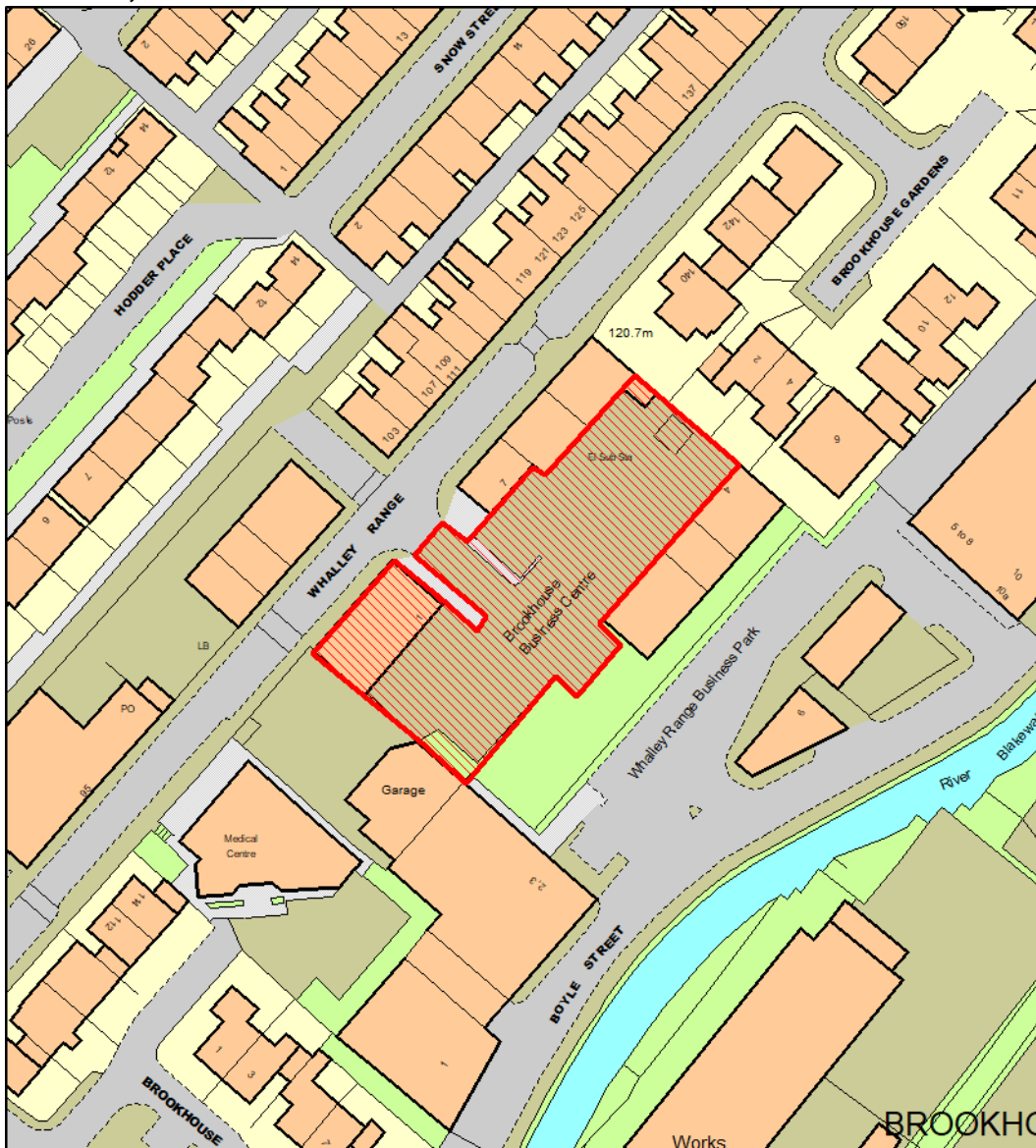
Proposed development: Full Planning Application for Proposed change of use from training centre to dessert shop (class E) including new shop fronts

Site Address:

**Unit 3 Brookhouse Business Centre
Whalley Range
Blackburn
BB1 6BB**

Applicant: Mrs Annisa Asif

Ward: Bastwell & Daisyfield Councillor Parwaiz Akhtar;Councillor Iftakhar Hussain; Councillor Shaukat Hussain



1. SUMMARY OF RECOMMENDATION

- 1.1 The proposed development is recommended to be approved subject to the conditions detailed in Section 5.

2. KEY ISSUES

- 2.1 This application seeks permission for a change of use of Unit 3 of the former Brookhouse Business Centre, from training centre (formerly Use Class D1, now Use Class F1), to a dessert parlour (now Use Class E). The application site is part of the same building and directly adjacent to the existing / recently approved dessert parlours at Units 1 and 2 (ref 10/22/0920) by the Committee at the meeting in February 2023. The application site lies within the Whalley Range District Centre, in secondary retail frontage, within the Inner Urban Area of Blackburn, in relative close proximity to the Town Centre, in a Coal Low Risk area.
- 2.2 The single storey commercial unit is in an accessible and highly sustainable location, and has the added benefit of a large shared car park to the rear of the unit, which is owned by the owner of the former Brookhouse Business Centre site (not the applicant). The majority of units in the wider Whalley Range District Centre do not have any off street parking, and parking is known to be a problem in the Whalley Range area. A number of objections have been raised by local residents, including a petition, citing highway safety/parking, infrastructure, public health and amenity concerns. The Highways Authority has also objected to the proposal, and a letter has been received from the local MP. These are discussed in the main body of this report.
- 2.3 Members will recall planning permission was granted for a retrospective café at Units 7 and 7A (ref 10/22/1004), and a separate application was also approved for a dessert parlour at Units 1 and 2 (ref 10/22/0920) at the 16th February 2023 Planning and Highways Committee, subject to conditions. Prior to that meeting, there was a Committee site visit on 14th February 2023, which secured, with agreement from the applicant, a condition attached to the café at Units 7 and 7A Brookhouse Business Centre (ref 10/22/1004) to provide a managed car park for use by all the units in the former Brookhouse Business Centre. Given the known parking issues in the area, officers and members considered this was a reasonable and necessary step to ensure adequate parking for staff and visitors and to ensure the car park is managed appropriately. Users of the proposed dessert parlour at Unit 3 will also have access to this car park and should permission be granted, a duplicate condition is therefore not considered necessary for this present application at Unit 3.
- 2.4 In summary, there would be recognised social, environmental and economic benefits arising from the proposal, which play a part in weighing up the planning balance. Factors weighing in favour of the application include the District Centre location of the former Brookhouse Business Centre; its former B1 (Light industry / offices) use; recent changes to the Use Classes Order which introduce more flexibility for town centre uses (including the creation of a new Use Class E); the additional benefit of a managed shared rear car park; as well as recent approvals, conditions, and appeal decisions for similar uses/units in the

immediate area. On balance, the scheme is considered acceptable for the reasons set out in this report.

- 2.5 Should members approve this application, conditions can be attached to ensure a degree of control over the use of the application site, such as hours condition, whereas presently there are no restrictions provided the use is a lawful use.
- 2.6 This application is presented to the Planning and Highways Committee due to a combination of the site history, a letter from the local MP, a petition from local residents, and an objection from the Highways Authority.
- 2.7 The key issues to be addressed in determining this application are;
- Principle of Development (including legislation, policy, site history, and health);
 - Highways issues, access, parking, and servicing;
 - Design and visual amenity;
 - Residential amenity;
 - Other matters;
 - Planning balance, including recent planning approvals and appeal decisions in the area.

3. RATIONALE

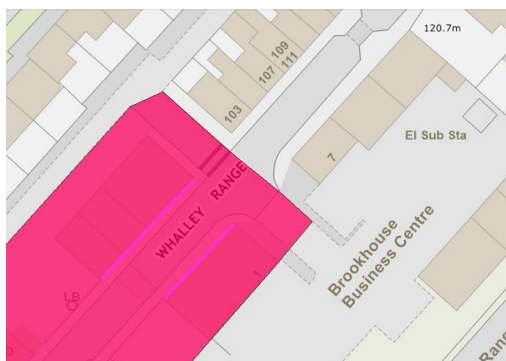
3.1 Site and Surroundings

- 3.1.1 The application site lies within a commercialised setting, with a range of shops and local services present. The wider surrounding area is mixed, with some residential dwellings also in the vicinity. The application site comprises an existing single storey commercial unit, which is just one of a number of units within the former Brookhouse Business Centre, within the Inner Urban Area of Blackburn, on the south/eastern side of Whalley Range, in a Coal Low Risk area.
- 3.1.2 Unit 3 sits wholly within the Whalley Range District Centre, as identified in the Local Plan Proposals Map. The Whalley Range frontage also sits within identified secondary retail frontage on the Proposals Map, as shown in the images below:

Figure 1 (below): Existing Site plan



Figure 2 (below): Local Plan Proposals Map



3.1.3 As can be seen in the location plan above, Unit 3 is positioned at the south west end of a detached row of 3 units on the Whalley Range frontage of the former Brookhouse Business Centre, south-west of the access road to the shared rear car park. The only other premises that the application site directly adjoins is the recently approved dessert parlour at Units 1 and 2, to the north-east.

3.2 Proposed Development

3.2.1 This application seeks permission for a change of use of Unit 3 of the former Brookhouse Business Centre, from training centre (formerly Use Class D1, now Class F1), to a dessert parlour (Class E), including external alterations / new shop front and predominantly glazed frontage, comprising aluminium powder coated shop front and doors. Colour to be Anthracite/Black.

3.2.2 The proposed changes to the elevations reflect the use applied for, essentially introducing more glazing to create a more modern, open and active frontage, which would also be wholly in keeping with the directly adjoining Units 1 and 2.

3.2.3 As with Units 1 and 2, the main pedestrian access into the building would be taken from the shared car park, to the rear. The only access from the Whalley Range frontage would be emergency access and egress, which can be

conditioned. The existing and proposed elevations can be seen below, in Figures 3 - 6:

Figure 3: Existing Floor plan

Units 1-3 are all shown below, for context. Unit 3 (this current application) is on the right side of the floor plan below (whereas the previously approved Units 1 and 2 are greyed out):

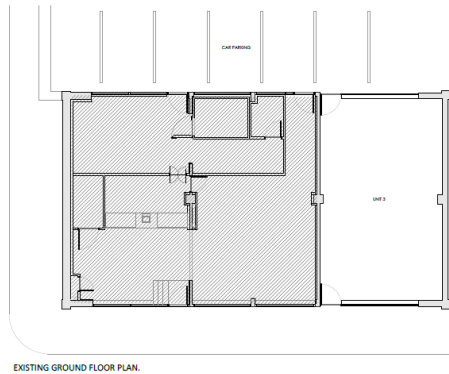


Figure 4: Proposed floor plan

Note: Again, Units 1-3 are all shown for context - Unit 3 (this current application) is on the right side of the floor plan (Units 1 and 2 are greyed out):

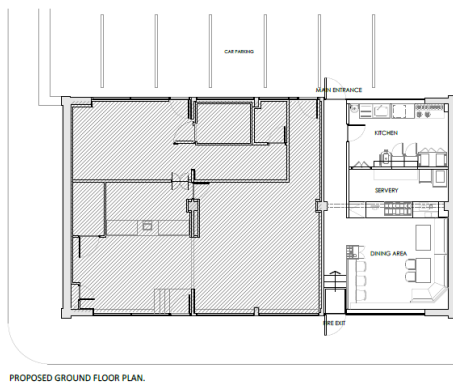


Figure 5: Existing elevations

The existing elevations are shown below. Unit 3 is on the right of the front elevation, and on the left side of the rear elevation (this is demarcated by the vertical lines in the images below):

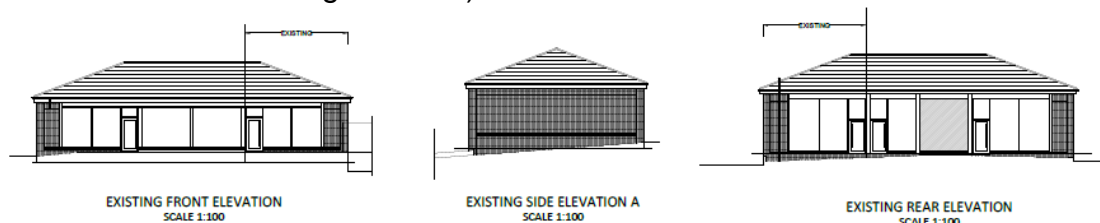
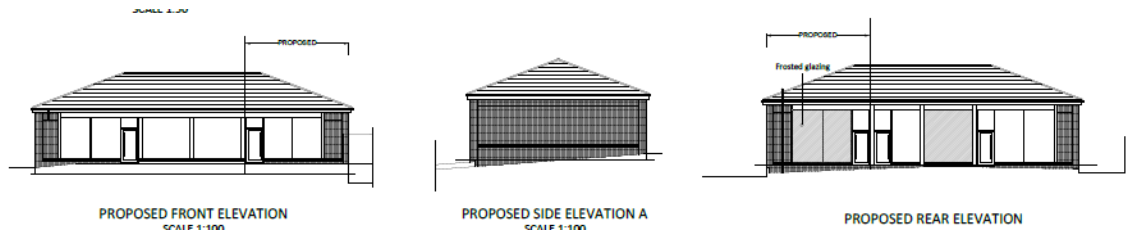


Figure 6: Proposed elevations

The proposed elevations are shown below. As with the existing elevations, Unit 3 is on the right side of the front elevation, and on the left side of the rear elevation (again demarcated by the vertical lines):



3.2.4 The Floorspace area for Unit 3 is 118 sqm. It is estimated that the business will employ circa 3 full time staff.

3.2.5 Hours of operation applied for are 09:00hrs to 23:00hrs Mon-Fri, and 10:00hrs to 23:00hrs Sat, Sun and Bank Holidays (i.e. the same as the existing / previously approved dessert parlours at Units 1 and 2).

3.2.6 The existing parking arrangements are to remain (the car park is to be managed by a planning condition attached to the approval for a café at Units 7 and 7A). The rear car park is shared by all users of the units within the former Brookhouse Business Centre. Although 6 spaces are shown adjacent the unit in the proposed site plan, there is no definitive parking allocation for the individual units.

3.3 Site Photos

Front view, from Whalley Range: (Unit 3 is on the right in the photo)



Rear view, from shared car park: (Unit 3 is on the left in the photo)



REASON: To ensure adequate parking for staff and visitors to the former Brookhouse Business Park and to ensure the car park is managed appropriately, in accordance with the requirements of Policies 8 and 10 of the Blackburn with Darwen Borough Local Plan Part 2.”

3.5 Supporting documents

- 3.5.1 The following documents were submitted in support of this application:
- Planning, Design and Access Statement.

3.6 **Development Plan**

3.6.1 Blackburn with Darwen Core Strategy

- Policy CS1: Targeted Growth Strategy
- Policy CS16: Form and Design of New Development

3.6.2 Local Plan Part 2 (adopted 2015):

- Policy 1: The Urban Boundary
- Policy 2: The Inner Urban Area
- Policy 7: Sustainable and Viable Development
- Policy 8: Development and People
- Policy 9: Development and the Environment
- Policy 10: Accessibility and Transport
- Policy 11: Design
- Policy 27: District Centres – a Framework for Their Development
- Policy 29: Assessing Applications for Main Town Centre Uses
- Policy 31: Development in Defined Shopping Frontages
- Policy 33: Health

3.6.3 **Other Material Planning Considerations**

BwD adopted Parking Standards
Borough wide Design Guide SPD
Planning for Health SPD
Shopfront Design and Security SPG
National Planning Policy Framework

4 **ASSESSMENT**

4.1 **Principle of Development (including legislation, policy, site history, and health)**

Legislative context

- 4.1.1 The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 were introduced on 1st September 2020, making significant changes to the previous system of Use Classes, and permitted changes of use under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

- 4.1.2 The introduction of these changes was to provide greater flexibility between certain uses and provides a more agile planning framework so that high streets and commercial uses can respond to changes in the commercial market. This was introduced by the government as a response to the Covid19 pandemic.
- 4.1.3 Schedule 2 of these regulations created a new broad 'Commercial, Business and Service' use class (Class E), which incorporated a number of previous commercial, business and service uses into a single Use Class.

Site history context

- 4.1.4 The original planning approval for the whole Brookhouse Business Centre was for Training Workshop & Office Units. The applicant initially suggested that an application for a change of use to Class E for Unit 3 did not require planning permission because the whole site benefitted from a Class B1 use (Office/Light Industry), which has now been subsumed into Class E.
- 4.1.5 However, officers advised the applicant that Unit 3 was last used as a training workshop, which if in use today, would fall under the new Use Class F1. Therefore, officers advised that an application for a change of use was required. Although not entirely in agreement, the applicant agreed to submit an application to regularise the use proposed. If approved, this will also allow the Council to retain a degree of control over the site with the imposition of planning conditions.

Policy context

- 4.1.6 Policies 1 and 2 of the Local Plan identify the inner urban area as the preferred location for new development.
- 4.1.7 The application site also lies wholly within the Whalley Range District Centre. Policy 27 of the Local Plan supports development where it encourages mixed uses, and where it responds to the scale and function of the centre. Proposals involving conversion and adaptation of premises or involving changes of use should take place within existing buildings and frontages in order to consolidate and strengthen the vitality of the centre. They should retain or provide shop fronts in order to maintain active frontages and retain the character and vitality of the centre.

Policy 27. District Centres – a Framework for Their Development

1. Within and adjacent to the District Centres as shown on the Adopted Policies Map, and listed in the table below, development will be supported where it encourages mixed uses, and where it responds to the scale and function of the centre in question. Proposals which fulfil these requirements will be permitted in the following circumstances:
 - i) New build proposals should be proportionate to the scale and function of the centre. New retail, leisure, office and service use developments should demonstrate that they cater for local needs, and should be accompanied by an impact assessment if they involve the creation of new floorspace above the thresholds set out in Policy 29. The assessment should consider the impact of the proposal on existing, committed and planned public and private investment in the centre and other nearby centres.
 - ii) Proposals involving conversion and adaptation of premises or involving changes of use should take place within existing buildings and frontages in order to consolidate and strengthen the vitality of the centre. They should retain or provide shop fronts in order to maintain active frontages and retain the character and vitality of the centre.

4.1.8 The proposed development encourages mixed uses and responds to the scale and function of the centre. As a change of use of existing premises, criteria 1 ii) of Policy 27 applies. The proposal would introduce a more active frontage, and have a positive impact on the character and vitality of the centre.

4.1.9 The pre-amble to Policy 27 states that District Centres principally provide for local needs shopping. The Core Strategy further promotes a concept of multi-functional district centres which are also the focus for local services as well as retailing. District centres have faced particular challenges in adapting to changing retail patterns. The Core Strategy identifies the Whalley Range area as having the potential to perform an enhanced function as a destination, as well as a local shopping centre. Within the Whalley Range District Centre there are streets which form the main shopping area of the centre, and others which perform a wider function in addition to retail. The Council wishes to consolidate this pattern of development.

4.1.10 Policy 27 goes on to apply additional policy considerations for the management of the district centres, as shown below.

2. Within the Whalley Range District Centre (reference 27/5) as shown on the Adopted Policies Map and the Whalley Range Inset Map, the following additional policy considerations will apply:

- i) Within the Primary Shopping Frontages as defined on the Whalley Range Inset Map, proposals for the change of use of ground floor/pedestrian level premises, to uses falling within Use Classes A2, A3 or A5, will be permitted provided that the proposal would not, in isolation or in combination with other completed or committed development, undermine the function of those frontages as a main retail area.
- ii) Within the Secondary Shopping Frontages as defined on the Whalley Range Inset Map, proposals for service uses falling within Use Classes A2, A3 or A5 will be permitted provided it would not, in isolation or in combination with other completed or committed development, have an unacceptable impact on the level of shopping provision or lead to a change in the character of the street.
- iii) Exceptions to Criteria i) and ii) may be made where the number of empty units within a frontage block/group of shops is high and the trend in vacancy levels is prolonged.

4.1.11 The site lies within a defined secondary shopping frontage, therefore criteria 2 ii) of Policy 27 applies. The proposal would bring vacant premises back into use, and would not have an unacceptable impact on the level of shopping provision or lead to a change in the character of the street, particularly given the directly adjoining units (Units 1 and 2) are in the same dessert parlour use, and share a uniform appearance with the application site. Therefore there is no conflict with Policy 27.

4.1.12 Furthermore, criteria iii) of Policy 27 refers to the benefits of ensuring vacancy levels are high. The proposal would ensure the premises are brought into active use, which would have wider social, environmental, and economic benefits, and are a material consideration.

4.1.13 Subject to being satisfactory in all other respects, the proposal is considered acceptable in principle, and in accordance with Policies 1, 2, and 27 of the Local Plan.

Health

- 4.1.14 Policy 33 of the Local Plan states that where a form of development has the potential to impact on public health, with particular reference to obesity and related disorders, and illnesses associated with alcohol or smoking, the Council will require the developer to demonstrate how public health issues have been taken into account in formulating the development proposal and how any impacts are to be mitigated.
- 4.1.15 Potential adverse health impacts of the proposed development have been raised by local residents, (including a letter from the local MP), including a concern that there is an over saturation of such uses in the area. Health concerns have also been expressed by the Council's Public Health team (although not a formal objection).
- 4.1.16 The proposal is for dessert parlour, and whilst it is acknowledged that this could potentially impact upon public health, the associated Health SPD, which is underpinned by Policy 33, identifies specific types of uses that are most likely to have adverse impacts on health. Notably the Health SPD makes particular reference to hot food takeaways and shisha cafes. Dessert parlours are not specifically referenced. Arguably, other uses such as convenience stores are just as likely to have as much of an impact as dessert parlours in terms of encouraging the intake of unhealthy food (including sales of chocolate and fizzy drinks to school children for example).
- 4.1.17 There is no policy basis for refusing an application based on an over provision of dessert parlour uses. Aside from Policy 33 and the associated Health SPD, the main general policy consideration is more one of not unduly restricting the main purpose and diversity of uses within the district centre.
- 4.1.18 Notwithstanding this, the public health concerns expressed by local residents and Public Health (refer to Paragraph 6.4 of this report for the full comments) are acknowledged. There are already a high number of takeaways, dessert bars and cafes in the area, and it is noted that the Bastwell and Daisyfield ward is a deprived ward which experiences poor health. There are also number of schools and nurseries in close proximity, as can be seen below:

Figure 8: 400m exclusion zone around schools, showing takeaways:

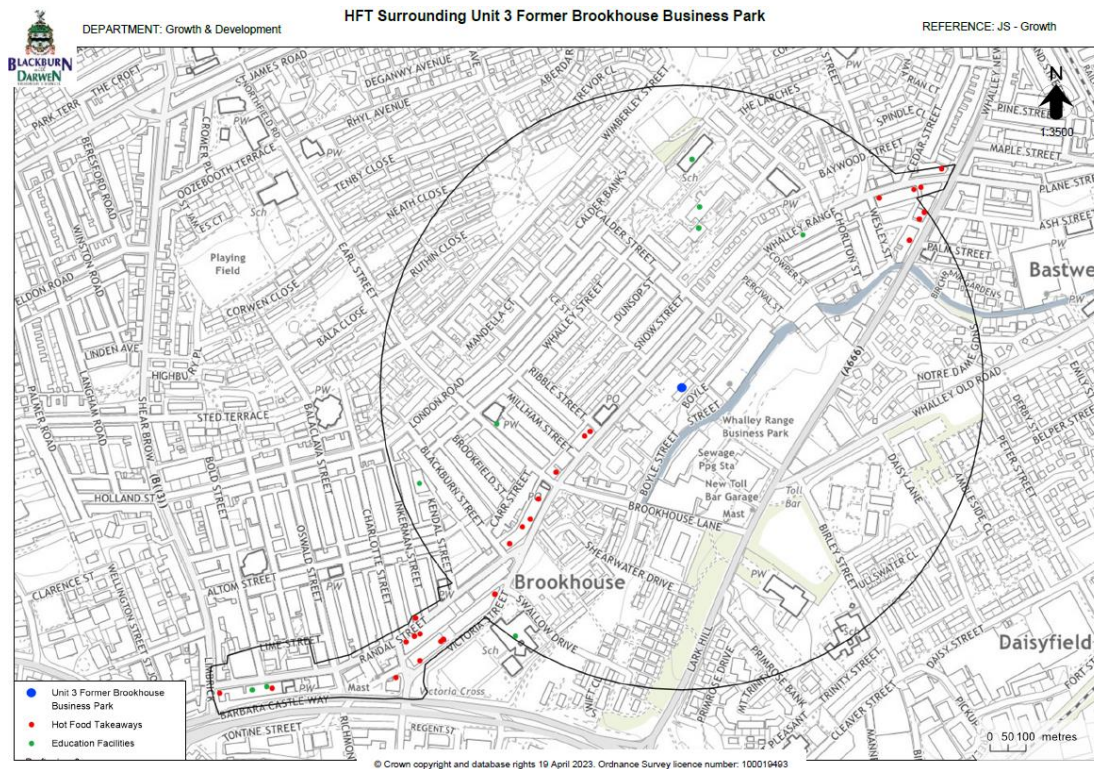


Figure 9: Schools within 400m of the application site:

ORGANISATION	SAO_TEXT	PAO_TEXT
		SEVEN TREES NURSERY SCHOOL
		BROOKHOUSE PRIMARY SCHOOL
MINORITY ENTERPRISE DEVELOPMENT TRUST	AGE UK	BANGOR STREET YOUTH AND COMMUNITY CENTRE
HAZRAT SULTAN BAHU TRUST		
MINORITY ENTERPRISE DEVELOPMENT TRUST	APNA GHAR	BANGOR STREET YOUTH AND COMMUNITY CENTRE
		SEVEN TREES CHILDRENS CENTRE
		BROOKHOUSE PRE SCHOOL
SHINING STARS NURSERY		
MASJEED - E- TAUHEEDUL ISLAM GIRLS HIGH SCHOOL	GROUND FLOOR	
		ST MICHAEL WITH ST JOHN CHURCH OF ENGLAND PRIMARY SCHOOL
		NOORANI EDUCATION CENTRE

Figure 10: Takeaways within 400m of the application site:

ORGANISATION	ID	PAO_TEXT	PAO_STA	PAO_END	DESCRIPTION
FUSION	1		84		RANDAL STREET
AL-LAZEEZ	2	TAKEAWAY KIOSK ADJ 97			VICTORIA STREET
NAAFIAH EXPRESS	3		81		VICTORIA STREET
OODLES CHINESE BLACKBURN	4		99		VICTORIA STREET
OODLES CHINESE BLACKBURN	5		99	101	VICTORIA STREET
SHAH JALAL FISH BAZAAR	6		55		WHALLEY NEW ROAD
EASTERN DELIGHT	7		67		WHALLEY NEW ROAD
KEBABISH	8		83		WHALLEY NEW ROAD
HAJIS TAKE AWAY FOOD SHOPS	9		358		WHALLEY RANGE
ELAF	10		336		WHALLEY RANGE
SHAHI KEBAB HOUSE	11		360		WHALLEY RANGE
SHANDAR SWEETS	12		63		WHALLEY NEW ROAD
ELAF	13		336	338	WHALLEY RANGE
CHUNKY CHICKEN	14		17		WHALLEY RANGE
SULTAN FAST FOOD	15		47		WHALLEY RANGE
CHUNKY CHICKEN	16		23		WHALLEY RANGE
SIAM ZAPP AUTHENTIC THAI NOC	17		65		WHALLEY RANGE
PEPE'S PIRI PIRI	18		143		VICTORIA STREET
MANCHESTER SWEET CENTRE A	19		3	5	WHALLEY RANGE
KHYBER RESTAURANT	20		35		WHALLEY RANGE
AL QUDS	21		69		WHALLEY RANGE
HEEBA'S FAST FOOD LIMITED	22		80		RANDAL STREET
LALAS	23		27	31	RANDAL STREET
SHANDAR TANDOORI	24		69		VICTORIA STREET
TASTE	25	GROUND FLOOR	12		RANDAL STREET
TAIBA INN	26		28		LIMBRICK
GRILLER	27		74		RANDAL STREET

- 4.1.19 Although the prevalence of uses that have the potential to adversely affect public health are noted, it would be extremely difficult to demonstrate that the addition of this one relatively small dessert parlour would tip the balance of acceptability in terms of the cumulative impact of the whole district centre. It is further noted that the flexibility of Use Class E means that the ability of the Council to restrict such uses would be incredibly difficult in any case.
- 4.1.20 It could also be argued, with some substance, that an additional dessert parlour use adjacent to an existing dessert parlour use (in an area where there are numerous other such uses) would have less impact than a new standalone use in an area where there are no similar uses. The proposal would be more likely to just increase choice, which would be welcomed.
- 4.1.21 Public Health have stated their desire to encourage a food environment which offers a variety of healthy options and enables choice, and have recommended that the owner engages with the Recipe 4 Health programme and gains this award as part of their social responsibility to residents and visitors to the area. An informative can be attached to remind the applicant of this social responsibility.
- 4.1.22 On balance, the wider benefits arising from the proposal are considered to outweigh any potential health impacts.

4.2 **Highways issues, Access, Parking, and Servicing**

- 4.2.1 Policy 10 outlines a general requirement for all development proposals not to prejudice road safety, or the safe and convenient movement of highway users. Parking should also be provided in accordance with the BwD Parking Standards. In addition to avoiding unacceptable impacts on highway safety, the Framework also seeks to ensure that the cumulative impact of development on the highway network is not severe.
- 4.2.2 As with the recent approvals for Units 1 and 2, and Units 7 and 7A, the Highway Authority raised an objection to this application on the basis that no bespoke parking is offered for Unit 3 to support the increase in vehicle movements (compared to the previous training centre use), and that there are ongoing issues with the highway network in the immediate locality, and that the existing parking in the adjacent streets is fully saturated.
- 4.2.3 The Highways Authority recognised that the site is sustainable, but suggested that not all visitors will be from the immediate area. The concerns about both inherent parking and congestion on Whalley Range close to this site has led the Highways Authority to conclude that the proposal would be detrimental to highway safety, and therefore contrary to Policy 10 of the Local Plan.
- 4.2.4 However, as with the recent approvals at the adjacent units, there are several mitigating factors. Fundamentally, the application site is located within a District Centre in a highly sustainable and accessible location. The District Centre designation recognises not only the sustainable location but also the potential for linked trips. Many trips to the centre will be multi-purpose, and trips to the dessert parlour will therefore not create substantial new parking

demand as a standalone destination in its own right, but will largely be used by people who are already in the area, either visiting other shops in the District Centre, and/or who live locally and will arrive on foot.

- 4.2.5 Furthermore, the majority of businesses on Whalley Range do not have any off street parking. The shared car parking area to the rear takes parking pressure off Whalley Range. If the units in the former Brookhouse Business Centre fell into vacancy, the car park could be permanently closed for example, and this would be to the detriment of the wider District Centre.
- 4.2.6 Unit 3 already benefits from a commercial use, and recent changes to the Use Classes Order (introducing a much broader Class E use) mean that most conversions involving town centre uses do not even require planning permission. Although the proposal would see a shortfall in the amount of parking that is required to accord with the Council's adopted parking standards (there is no bespoke parking offered - the rear car park is shared by all businesses within the Former Brookhouse Business Centre), the applicant argues, with some justification, that the standards are several years old, with particular regard given to the recent legislative changes to the Use Classes Order. Rigid application of the 2014 Parking Standards is therefore, in this instance, not considered appropriate.
- 4.2.7 The Highways authority also referenced illegal parking on Whalley Range, and a need to keep the area clear from intensive movements, for safety reasons. Vehicles are known to be parking on the double yellow lines to the front of the premises along Whalley Range, and parking in the adjacent streets is also known to be saturated. However, pavement parking is not enforceable by Local Authorities. It is classed as an obstruction of the highway and this is currently only enforceable by the Police. It is further noted that recent appeal decisions in the vicinity that were allowed by the Planning Inspector, have also referenced vehicles parking on yellow lines as being a traffic enforcement issue rather than a planning matter. The restrictions across the whole of Whalley Range from Barbara Castle Way to Whalley New Road are under review and should any changes be required, this will go out to consultation before a change to, or implementation of, a Traffic Regulation Order is made.
- 4.2.8 Fundamentally, the site lies within a District Centre, in a highly sustainable location. Some people will arrive on foot, others will already be visiting other facilities in the area, thereby not increasing demand to the same extent.
- 4.2.9 Furthermore, the submitted drawings show that the main access to the premises will be via the car park, with the access on the frontage to Whalley Range only be used for emergency purposes. This is considered to be material as it will encourage users arriving by car to park on the car park to the rear. A condition will be also be imposed relating to the access to the premises. Providing on-site parking within District Centres is not a prerequisite of Policy 27, which sets out a framework for development in District Centres.

- 4.2.10 In conclusion, proposals should only be refused on highways grounds where there is a demonstrable unacceptable detrimental impact on highway safety, and/or the cumulative impact of development on the highway network is severe. In this case it is not considered that these thresholds are met.
- 4.2.11 On balance, the site lies within a District Centre in a highly sustainable location, and the impact on highway safety as a result of this application in isolation is not considered to be unacceptable, and the cumulative impact of development on the highway network is not considered to be severe.
- 4.2.12 It is therefore considered that the proposal is acceptable on highways grounds, in accordance with Policy 10 of the Local Plan, and the NPPF.

Waste

- 4.2.13 Waste will be stored in the waste collection area on site and collected via a commercial refuse collection service, so not requiring full access by waste vehicles. A local 'Waste management' company will pick up mainly cardboard and plastic packaging waste three times a week. A system will be implemented whereby all the cardboard is 'flattened' and stored in the store area and the rear door opened to allow waste to be loaded on a medium sized panel van.
- 4.2.14 The Council's Cleansing team raised no objections to the proposal. However, a condition can be attached to secure a scheme for a waste bin at the premises.
- 4.2.15 From an enforcement point of view any waste and litter that accumulates on the car park will be the responsibility of the land owner. The Environmental Crime Team can issue letters and notices asking/telling them to clean their land, otherwise fixed penalties can be issued, or even court action can be taken.

4.3 Design and Visual Amenity

- 4.3.1 In general terms, Core Strategy Policy CS16 require and Local Plan Policy 11 requires all development proposals to represent a good standard of design through demonstrating an understanding of the sites wider context and making a positive contribution to visual amenity.
- 4.3.2 The alterations essentially involve the introduction of more glazing into the elevations. There is no change to the floor space or size, scale and massing of the building. The materials would comprise modern aluminium powder coated shop front and doors, in Anthracite/Black. The amount of glazing and the materials to be used are considered acceptable, and the alterations would have a positive impact and mirror the adjoining units in terms of appearance.
- 4.3.3 The proposed alterations would result in modern elevations that are more in keeping with the function, character and vitality of the Whalley Range District Centre. It is therefore considered that the proposal would have a positive impact on the existing building, and would not have any detrimental impact on

the mixed character of the wider area / street scene, thereby meeting the requirements of Policy 11 of the Local Plan and Policy CS16 of the Core Strategy.

4.4 Residential Amenity

- 4.4.1 Policy 8 of the Local Plan states that all development proposals must secure a satisfactory level of amenity and safety for surrounding uses and for occupants or users of the development itself, with reference to noise, vibration, odour, light, dust, other pollution or nuisance, privacy/overlooking, and the relationship between buildings. Also that it will, in isolation and in conjunction with other planned or committed development, contribute positively to the overall physical, social, environmental and economic character of the area in which the development is sited.
- 4.4.2 The site lies within a designated District Centre on a busy road, where a degree of noise and disturbance is to be expected. No residential premises directly adjoin the site, and staff and visitors to the building would come and go from the rear car park, apart from in emergencies. As well as focussing comings and goings to the rear, this will also assist in terms of increasing natural surveillance to the car park at the rear, bringing further benefits in terms of reducing potential crime and antisocial behaviour.
- 4.4.3 The Council's Public Protection team raised no objections to the proposal, subject to appropriate conditions and informatives. The Public Protection Officer also recommended a temporary approval to allow monitoring of the amenity impacts of the proposed opening hours. However, it would be extremely difficult to ascertain to what extent any impacts are a direct result of the proposed use at Unit 3 and which are from existing / recently approved uses. For this reason, a temporary condition is not considered reasonable, especially as a temporary condition was not attached to the recently approved adjoining units.
- 4.4.4 Furthermore, the hours applied for (23:00 hours) are considered reasonable given the setting, and the context of other approvals in the area. Restricting hours to earlier in the evening would likely be harmful to the viability of the business, and would be unduly restrictive in a District Centre location. Similar approvals in the area, including appeal decisions, have also allowed nearby businesses to open later. For example, Le Glacier, at 51-53 Whalley Range, was granted planning permission to open until 23:00 hours (which was extended to 00:15 hours, on a 12 month trial basis, at a subsequent appeal). This, and other examples of relevant appeal decisions, are referenced later in this report.
- 4.4.5 Therefore, the hours applied for (23:00 hours) by the applicant are not considered unreasonable, and would be similar to other businesses in the area. A condition can be attached to this effect.

4.4.6 Other matters within the jurisdiction of Public Protection, such as any dumping of waste, vermin, and/or statutory noise nuisance are being investigated under separate powers / legislation.

4.4.7 From a planning perspective, the proposal is therefore considered to have an acceptable impact in terms of residential amenity, subject to conditions, and accords with Policy 8 of the Local Plan.

4.5 **Other matters**

4.5.1 Various matters raised by local residents include statutory noise nuisance and environmental concerns, and alleged breaches of operating hours of nearby businesses. Noise nuisance and environmental impacts are being considered under separate legislation by the Council's Public Protection team. Alleged breaches of planning control in the area by existing businesses are also being investigated by the Planning Enforcement team. Illegal parking is a matter for the Police. None of these issues relate specifically to planning issues at the application premises.

4.6 **Planning balance, including recent appeal decisions in the area**

4.6.1 Relevant appeal decisions

4.6.2 In addition to the recent approvals at Units 1 and 2, and Units 7 and 7A, there are also a number of recent appeal decisions in the local area which give weight in favour of approving this application. These include:

- 10/16/1299 – Le Glacier, 51-53 Whalley Range (Removal of conditions 1 and 3 of previously approved planning application 10/15/1402) - Appeal Allowed 30th June 2016 (12 month temporary trial).

4.6.3 Key points taken from the above appeal decision 10/16/1299:

- Hours condition previously approved under 10/15/1402 (limiting opening hours to 23:00 hours) extended to 00:15 hours on a 12 month trial basis.
- Quote from Inspector, at Paragraph 15: *"I note the comments made about about people parking on the double yellow lines and blocking the road. I have no photographic or video evidence to show that this was entirely associated with the appeal premises , or in any event, if this now occurs routinely. In any event, there are separate enforcement powers available to deal with unauthorised parking on the highway."*
- Quote from Inspector, at Paragraph 16 of Inspector's report: *"..it must be recognised that the appeal property falls within a District Centre and fronts a relatively busy main road. Hence it is reasonable to expect that levels of noise and activity would be higher than in areas which are more residential"*.
- Quote from Inspector, at Paragraph 19: *"Despite the fact that the site is within a District Centre there are nonetheless residential properties very close by. It is therefore important that the occupiers of such properties are afforded reasonable levels of peace and quiet during times when they wish to sleep."*

- 10/15/0241 – 47a Whalley Range - Demolition of garage and erection of two storey retail building with shop front and roller shutters - Appeal Allowed 16th November 2015.

4.6.4 Key points taken from the above appeal decision 10/15/0241:

- Quote from Inspector, at Paragraph 5 of Inspector's report: "*.. there are parking restrictions all along Whalley Range and almost none of the other small shop units in the vicinity has off-street parking*".
- Quote from Inspector, at Paragraph 7: "*This is a highly accessible retail centre, principally serving the local community. As such it seems to me that the proposed use is unlikely to give rise to significant additional demand for parking*".
- Quote from Inspector, at Paragraph 9: "*I conclude that, although the proposal would not accord with Local Plan policies.. which, among other things, require appropriate provision for off street servicing and parking, the lack of such facilities would not have an unacceptable impact on highway safety and the free flow of traffic.*"

- 10/09/0752 – 23 Whalley Range – Change of use of ground floor to hot food takeaway – Appeal Allowed 1st February 2010.

4.6.5 Key points taken from the above appeal decision 10/09/0752:

- Hours condition: 07:30 hours – 23:00 hours Monday-Sunday;
- Quote from Inspector, at Paragraph 7 of Inspector's report: "*Although yellow lines may from time to time be ignored by motorists, I do not believe that the consequences would be significant, and could, in any event, be addressed by enforcement of the regulations. Any parking generated by a new hot food takeaway would be a marginal addition to that which already takes place. Parking in the evening would be at a time when the demand is less than at other times during the day.*"

4.6.6 Planning balance

4.6.7 The objection from the Highways Authority is acknowledged, and has been given due consideration in reaching this recommendation.

4.6.8 The application involves the change of use from one commercial use to another. In general terms, the Government is keen to support greater flexibility between town centre uses, evidenced by the introduction of the new Use Class E. Indeed, the applicant disputed whether planning permission was even required for the use now proposed. Most town centre uses would not need to apply for planning permission under the recent Use Class changes. Notwithstanding this, by approving this application, a degree of control can be achieved, with appropriate conditions attached to limit highway/amenity impacts. As things stand, there are no restrictive conditions attached to the former Brookhouse Business Centre.

4.6.9 Another factor to be considered is, should this application be refused, what would the building be used for. It would be likely that the building would fall vacant, and investment in the application site / former Brookhouse Business

Centre / wider area would be stunted. Significant weight is given to the wider economic benefits of the proposal, and if the unit were to fall vacant and/or other units did likewise, the car park would also be likely to close, having an even greater detrimental effect on parking availability in the area. A Class E use within a District Centre is an appropriate use in this location / context.

- 4.6.7 Fundamentally, the location within the District Centre is a key consideration, and the proposal is acceptable in principle. There is no requirement under Policy 27 of the Local Plan to provide any off street parking within a District Centre. The recent changes to the Use Classes Order, introducing the new Class E and its greater flexibility between uses, were introduced far more recently than the Parking Standards which were adopted in 2014. It is therefore considered that only limited weight can be given to the parking standards in this context.
- 4.6.8 Furthermore, there is a managed car park to the rear, controlled by a planning condition attached to one of the recent approvals on of the adjacent Units (Units 7 and 7A) which offers shared parking provision for the Units of the Former Brookhouse Business centre, which is far in excess of what most other businesses on Whalley Range have to offer (most businesses have none), and this helps to ease the impact on Whalley Range and surrounding streets. Recent appeal decisions have allowed similar uses in the area, and Inspectors have been clear that illegal parking should be dealt with under separate powers / legislation.
- 4.6.9 The concerns about health and amenity impacts are also noted. However, it is considered that the benefits would outweigh any demonstrable detrimental impacts.
- 4.6.10 Examples of the aforementioned benefits include bringing a former commercial building back into active use; the continued use of the shared car park to the rear; the wider economic benefits / job creation it would bring to the local area; the visual and social benefits; improving the range and choice of local facilities and services; and making a positive contribution to the vitality of the District Centre.
- 4.6.11 On this basis, it is recommended that the application be approved, subject to the conditions referred to in Paragraph 5, below.

5. RECOMMENDATION

5.1 APPROVE subject to the following CONDITIONS:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this planning permission.

REASON: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Unless explicitly required by condition within this consent, the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on drawings:

Project no. 013 / WSA / 2023, Dwg no. 03: Location Plan.

Project no. 013 / WSA / 2023, Dwg no. 02: Proposed Floor Plans and Elevations.

REASON: For the avoidance of doubt and to clarify which plans are relevant to the consent.

3. The use hereby permitted shall not take place outside the hours of 09:00hrs to 23:00hrs Mon-Fri, and 10:00hrs to 23:00hrs Sat, Sun and Bank Holidays.

REASON: To safeguard the amenities of local residents and the area generally in accordance with Policy 8 of the Blackburn with Darwen Borough Local Plan Part 2.

4. The external construction materials shall be as stated on the application form and approved drawings and they shall not be varied without the prior written consent of the Local Planning Authority.

REASON: To ensure that the external appearance of the development is satisfactory in accordance with Policy 11 of the Blackburn with Darwen Borough Local Plan Part 2.

5. Prior to the use hereby permitted first commencing, a scheme for the installation of a litter / waste bin, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented in accordance with the approved details prior to commencement of the approved use, and shall be permanently retained thereafter.

REASON: To ensure adequate facilities are provided at the site, to reduce litter, in accordance with Policy 9 of the Blackburn with Darwen Borough Council Local Plan Part 2.

6. Access to and from the premises shall be from the rear of the premises, adjoining the shared rear car park. Access to/from the front of the premises, adjoining the Whalley Range footway, shall only be used in the event of an emergency.

REASON: To discourage visitors to the premises from parking illegally on Whalley Range, in the interests of traffic and highway safety and the free flow of traffic, in accordance with Policy 10 of the Blackburn with Darwen Borough Council Local Plan Part 2.

7. The application premises shall only be used for the purposes included within Class E (b) of The Town and Country Planning (Use Classes) Order 1987 (as amended), and for no other purpose, including any other purpose in Class E

of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020.

REASON: In the interests of highway safety, and to ensure appropriate parking levels in accordance with the Council's adopted standards, and to safeguard the amenities of occupiers of residential properties in the area, in accordance with Policies 8 and 10 of the Blackburn with Darwen Borough Local Plan Part 2.

6. CONSULTATIONS

6.1 Highways

6.1.1 OBJECTION:

Parking

In accordance with adopted parking standards. The area for public use is used to equate the required parking allowance to support the business. This exercise has been undertaken and the total area 27sqm, this is then measured against a requirement of 1 car space per 7sqm, which provides a required allowance of 4 spaces.

The details received accompanying the application set out a provision of 6 spaces to support the proposal. However the location plan received suggests more than 6 spaces. Please could we seek clarification on what number of spaces are being provided to support this application?

On recent site visits it has been noted that vehicles are still parking on the double yellow lines to the front of the premises along Whalley Range.

I would reiterate the car parking within the Brookhouse Business Centre was always for the use of the tenants of the units and not for other businesses along Whalley Range. Before being sold the business centre tenants were largely small business/office spaces. The introduction of a food retail attracts a total different demographic and also larger number of customers more so when taking into account the opening hours which run from early morning though to late night (mon – fri (9.00 -2300) & Sat- Sun (10.00 -23.00).

We acknowledge the recent introduction of the Managed ANPR car parking system, but are yet to see what difference this is making, as cars are still parking on Whalley Range. Please provide further evidence on how this is managed and controlled.

In addition to the above, no parking provision for the disabled is provided. 10% of the total number of spaces should be allocated and designated for disabled users.

Furthermore no provision for cycle and ptw parking has been provided. This should be located near the entrance of the building, covered and secure.

Access

The car park to the rear of the units support the needs of the unit in question

No change for vehicle movement is proposed

We do however note a change to the existing Building. A New pedestrian entrance has been created into the units to serve the public from Whalley Range. This will in our opinion further exacerbate the abhorrent and illegal parking that currently occurs along this highway. Whalley Range is heavily trafficked throughout the day and is further supported by restriction to prevent parking to ensure free flow movement of traffic is maintained at all times. Please review and present further details.

To conclude

The property is located on the fringe of the Whalley Range Bazaar Area. The existing parking in the adjacent streets is fully saturated. It is recognised that the site is sustainable, however not all visitors will be from the immediate area, as the bazaar does attract visitors from a wider area and also from outside the borough.

There are ongoing issues with the highway network in the immediate locality, this has culminated in joint departmental investigations being undertaken, involving the Police, Neighbourhood Teams, traffic and parking. The attached emails represent their concern on both inherent parking and congestion on Whalley Range close to this site.

We would offer strong reservation to the application, however we would give the applicant the opportunity to respond to the above concerns before issuing a formal decision.

6.2 Public Protection

- 6.2.1 With reference to the above application, I recommend that the following condition(s), informative(s) and/or comment(s) be included if planning permission is granted:

Comment: Noise Nuisance Loss of Amenity

The EP unit has an on-going noise nuisance investigation that relates to alleged nuisance arising at the Brookhouse Business Centre car park and Whalley Range. Recent planning applications (10/22/0920 & 10/22/1004) for eateries have been assessed with these complaints in-mind. Consequently, a precautionary approach has been taken in respect of hours of use at these premises; I have recommended limiting evening opening hours to 20:00hrs. I note that the above mentioned applications were approved with hours of use upto 23:00hrs. Clearly, for planning reasons, this is considered to be the appropriate closing time for these eateries. However, I am still minded to advise a precautionary approach to opening hours. I would suggest a temporary period of approved use upto 23:00hrs so that the EP investigation can determine any serious adverse amenity impact arising from customer noise in the car park & at Whalley Range.

Condition – Temporary Hours of Use Restriction (to be reviewed)

The approved use shall be restricted to the following times:

Monday to Friday: 09:00 – 23:00 hours

Saturdays/Sundays: 10:00 – 23:00 hours

Any variation of the above hours restriction must be approved in writing by the Planning Authority.

Reason

To ensure appropriate hours of use to minimise noise disturbance at residential premises.

Floodlighting

Should the proposed development include outdoor lighting I would recommend the following condition:

Condition – Floodlighting (as appropriate)

An outdoor floodlighting scheme shall be submitted to and approved in writing by the Local Planning Authority before the development commences. The floodlights shall be installed in accordance with the agreed scheme and retained for the duration of the approved use.

Reason

To minimise potential loss of amenity due to intrusive light pollution affecting residents.

Informative:

When assessing potential loss of amenity the Local Authority shall make reference to the lighting levels provided in 'Guidance Notes for the Reduction of Obtrusive Light' GN01 produced by The Institution of Lighting Professionals, available at:

<https://theilp.org.uk/publication/guidance-note-1-for-the-reduction-of-obtrusive-light-2020/>
NB: The proposed development is within an E3: Medium district brightness area.

Condition – Air Quality (Small Commercial Development)

Prior to commencement of the development hereby approved, a scheme for the provision of charging points for low emissions vehicles shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented prior to commencement of the proposed use and retained thereafter.

Reason: In accordance with Policy 36 of the Blackburn with Darwen Borough Local Plan Part 2 and Paragraph 110 of the National Planning Policy Framework 2019, which states that developments should be designed to enable charging plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations. This condition implements the requirements of Council's Air Quality PAN and the Principles of Good Practice in the EPUK & IAQM guidance Planning for Air Quality. These are readily achievable mitigation measures that reflect current good practice and help to reduce the cumulative impact of current and future developments.

Informatives:

Informative: Roller Shutters

Roller shutter(s) fitted to a shop window &/or door must NOT cause a noise nuisance at residential premises during opening/closing operation of the shutter(s) in accordance with the Environmental Protection Act 1990. Electrically operated shutters are recommended.

Informative - Construction/Demolition Noise

All activities associated with any construction/demolition works shall be carried out in accordance with British Standard 5228: Code of Practice for Noise & Vibration Control on Construction & Open Sites – Parts 1 and 2.

Informative – Asbestos Control

Any application site demolition works must not cause a public health risk arising from any asbestos containing materials at the site. Full compliance with the Control of Asbestos

Regulations 2012 and British Standard (BS) 6187: 'Code of practice for full and partial demolition' is essential.

6.3 Cleansing

6.3.1 No objections.

6.4 Public Health

6.4.1 No formal objection, but concerns expressed about the potential cumulative health impacts of such uses in this area:

Public health are concerned to see another food establishment offering food and drink high in fat, salt and sugar in an area which already has a high number of hot food takeaways, desert bars and cafes. The Bastwell and Daisyfield ward, where this establishment is located, is a deprived ward which experiences some of the poorest health outcomes in Blackburn with Darwen. Bastwell and Daisyfield has the highest number of deaths and emergency hospital admissions relating to coronary heart disease in the borough and the North primary care network area, in which this ward sits, has the highest diabetes prevalence rate in the borough. There are a number of schools and nurseries in close proximity including St Michaels and St John's (SMSJ) and Brookhouse Primary Schools which have easy access to this establishment. Almost 6 in every 10 five years olds at SMSJ (59%) and Brookhouse (57%) have decayed missing or filled teeth and half of all Year 6 pupils in these schools are overweight. All the issues highlighted here are directly related to a high consumption of food and drink high in fat, salt and sugar.

We appreciate that this type of food and drink is readily available in convenience stores but we would be keen to encourage a food environment which offers a variety of healthy options and therefore enables choice. We would strongly recommend that the owner engages with the Recipe 4 Health programme and gains this award as part of their social responsibility to residents and visitors to the area.

7. Publicity

7.1 The proposed development has been publicised through letters to 34 properties and businesses in the immediate area, and a site notice was displayed on 2nd March 2023.

7.2 As a result of this, 2 objections were received, including a petition signed by 17 signatories.

7.3 The following concerns were expressed in the letter of objection:

- Parking concerns - would cause a significant increase in traffic to the area, which would put a severe strain on the limited parking facilities already available. It would exacerbate the existing problem.
- Lack of parking enforcement.

- Amenity - Negative impact on the local community's quality of life
- Litter.

7.4 The Petition was accompanied by a covering letter. The covering letter referred to:

- Over provision and over development of Dessert bars in the Whalley Range area.
- Unacceptable impact on neighbours due to customers frequently coming and going during the morning, afternoon, and late into the night, and traffic issues and noise problems.
- The current infrastructure on Whalley Range is inadequate to cope with anymore such developments.
- The applicant fails to show how it would mitigate public health issues associated with unhealthy food.

7.5 The Petition (see Section 10) attached to the covering letter stated:

“This is a petition against the exponential rise of desert and tea shops and business in Blackburn and especially the Whalley Range area. This onslaught in the rise of business without proper planning permission is very alarming and amounts to gentrification of our community and neighbourhood. We demand a moratorium on any new business outlets as they are bringing in high levels of traffic and noise as well as litter and vermin infestations into our neighbourhood. The current infrastructure is already overwhelmed and cannot support any more businesses without thought for parking, litter and other hazards that are imported into the area.”

7.6 MP letter

7.7 In addition to the above, a letter was also received from Kate Hollern, MP, on behalf of one of her constituents (who has submitted their own objection letter, raising similar issues, referenced above) – see Section 10.

7.8 The MP letter highlights the concerns of the local resident, suggesting there are grounds for refusal based on traffic and parking issues; and an overdevelopment of dessert parlours; and sending out the message that unhealthy eating habits are acceptable.

7.9 All the matters raised have already been addressed in the body of this report.

8. CONTACT OFFICER: Tom Wiggans - Planning Officer

9. DATE PREPARED: 12th May 2023

10. SUMMARY OF REPRESENTATIONS



KATE HOLLERN MP

Constituency Office, First Floor, Community Hub,
35 Railway Road, Blackburn. BB1 1EZ
Tel: 01254 52317
Email: kate.hollern.mp@parliament.uk

Mr Martin Kelly
Strategic Director of Growth & Development
Blackburn with Darwen Borough Council
Town Hall
Blackburn BB1 7DY

9 March 2023

My Ref: KH/KH54680DT

Dear Martin

Planning application: 10/23/0163

I write on behalf of my constituent, Mr Asif Iqbal, of 140 Whalley Range, Blackburn, BB1 6NL.

Mr Iqbal has visited my office to note and express concern at another application for a dessert outlet near to his home on Whalley Range. This application has been submitted within the same period that a retrospective application was approved by Blackburn with Darwen Council's Planning and Highways Committee.

Whilst my constituent fully understands that the Council is not responsible for individuals submitting applications, and must process these according to the rules and procedures of planning law, Mr Iqbal expresses deep concern that the Whalley Range area is being perceived as a location where any application for a food outlet will be approved.

Apart from my constituent's continued concerns as regards worsening traffic and parking issues in the area Mr Iqbal once again highlights his view that by allowing more dessert outlets the Council is sending a message that unhealthy eating habits are acceptable.

It is my constituent's view that Councils can in fact bring to bear matters relating to public health when considering planning applications, and that in cases such as this there would be clear grounds for refusal on the basis of overdevelopment. Mr Iqbal noting that the situation of this outlet (which is already advertising 'opening soon' on its windows) is a matter of less than 50 metres from that which has only just been approved, considers that if anything would be classed as overdevelopment of a certain type of business this must be.

I understand that my constituent will be submitting a formal objection to the application, but on his request I am writing to set out the general points of concern about such matters.

In light of this, I would be most grateful for your comments.

With all good wishes

Yours sincerely

Objection - Mohammed Patel, 7 Brookhouse Gardens, Blackburn. Received: 20/03/2023

Dear Council,

I am writing to express my strong opposition to the recent planning permission application for the proposed development. While I appreciate the potential benefits that this development could bring to the local area, I have significant concerns regarding parking.

The proposed development would cause a significant increase in traffic to the area, which would put a severe strain on the limited parking facilities already available. As someone who lives and works in this area, I know first-hand that parking is already a significant issue, and this development would only exacerbate the problem.

I understand that the applicant has suggested alternative parking arrangements, but these are not adequate to address the concerns that I and many others have regarding parking. I believe that this development would have a significant negative impact on the local community's quality of life and must be rejected.

Despite having 'car parking' and 'waste' plans, it simply will not work without causing chaos in the area. Currently, on a daily occurrence I observe an individual walking outside of KQF, Chaiwala and Mi Chaii picking up litter at 6:30am. This should not have to be the case; it is not his job.

Furthermore, there is no sense of policing in the area resulting in a complete loss of control regarding the car parking

I hope that the voice of the neighbours are listened to and not ignored. I strongly urge you to reject this planning permission application and to prioritize the needs and concerns of the local community.

Thank you for your attention.

Regards,
Mohammed Patel,

Petition – Asif Iqbal. Received: 22/03/2023

Dear Tom

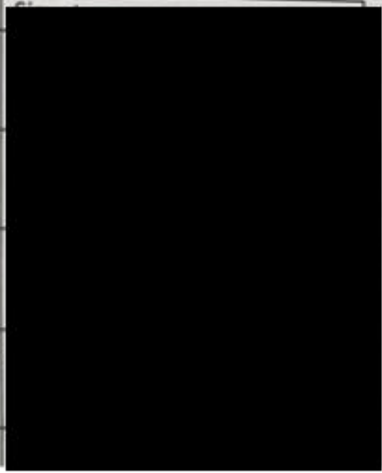
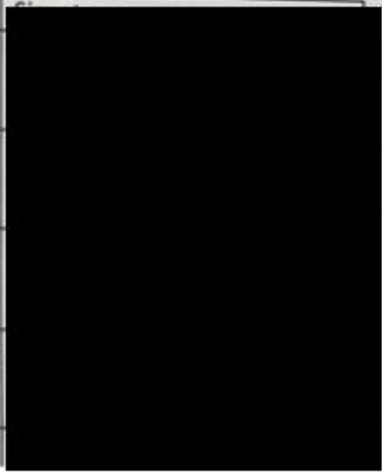
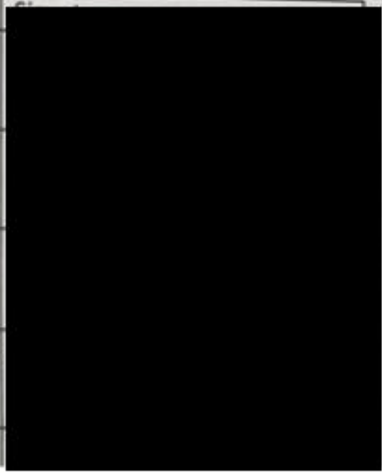
I am writing this email to object to the above planning application. The reason for this objection is over provision and over development of Dessert bars in the Whalley Range area. The Dessert bar would have an unacceptable impact on neighbours due to customers frequently coming and going during the morning, afternoon, and late into the night and traffic issues and noise problems. The current infrastructure on Whalley Range is hopelessly inadequate to cope with anymore such developments. The applicant fails to show how it would mitigate public health issues associated with unhealthy food. I attach a petition from the neighbourhood residents also objecting to this business.

Yours Sincerely

Asif Iqbal

This is a petition against the exponential rise of dessert and tea shops and businesses in Blackburn and especially the Whalley Range area. This onslaught of the rise of businesses opening without proper planning permission is very alarming and amounts to a gentrification of our community and neighbourhood. We demand a moratorium on any new business outlets as they are bringing in high levels of traffic and noise as well as litter and vermin infestations into our neighbourhood. The current infrastructure is already overwhelmed and cannot support anymore businesses without thought for parking, litter and other hazards that are imported into the area.

Name	Address	Signature
ASIF IQBAL	140, WHALLEY RANGE	
M. SHEEWAN	10. BROOKHOUSE GARDEN	
H. Khanat	6 Brookhouse Gardens	
Abid	144 W. Range	
GHAIB	146 Whalley Range	
IRFAN	150 WHALLEY RANGE	
MUSA I. PATEL	152 WHALLEY RANGE	
SADIQ MOHAMMED	5 BROOKHOUSE GARDENS	
ACIF PATIL	2. Brookhouse Gardens	
MOHAMMED AYAZ	105 WHALLEY RANGE	
Samim Patel	7 Brookhouse Gardens	
AZAR IQBAL	9-11 Brookhouse Gardens	
M-farooq	1- Brookhouse Gardens-	

Name	Address				
Rubina yesmin	8. Brook House gardens				
Abubakar Siddique	8 Brookhouse gardens				
EMALID KHAN .	109. WHARLEY RANGE				
MOHAMMED SIDDIQUE	12 BROOKHOUSE GARDENS				