

F/YR12/0034/F
17 January 2012

Applicant : Dominos Pizza Group Ltd Agent : Ms A McQueen
Richard Unwin Chartered Surveyor

14 Broad Street, March, Cambridgeshire, PE15 8TG

Change of use from A1 to A5, raising of roof to rear and installation of extract duct and 2no compressors

This proposal is before the Planning Committee due to the wider concern and number of objections

This application is a minor application.

1. **SITE DESCRIPTION**

14 Broad Street is located on the western side of Broad Street and is situated within the Primary Shopping Frontage of March. The shop has a frontage of approximately 8 metres and is one of the larger retail units on the western side of Broad Street and is currently occupied by a furniture store. The rear of the premises faces onto Grays Lane and there is vehicular access available.

2. **HISTORY**

Of relevance to this proposal is:

- F/YR01/0888/F - Formation of new shop front – granted 12 October 2001
- F/YR01/0889/A - Display of 1 No. externally illuminated projecting sign – granted 12 October 2001
- F/94/0903/F - Erection of single-storey flat roof extension – granted 13 April 1995.

3. **CONSULTATIONS**

Parish/Town Council: Recommend approval subject to responsibility for litter control within the vicinity of the premises.

Conservation Officer (FDC): This is an existing building of Local Interest, however, as the front elevation of the property seems to be unaffected (other than new signage) no objection to proposal.

Environmental Health (FDC): Requests condition relating to extraction flue and odour control.

Local Highway Authority (CCC): Notes that vehicular access already exists, however, to accommodate parking as shown will require removal of the existing gates.

Safer Fenland Manager: No apparent crime and disorder issues

Local residents/interested parties: March Kebab & Pizza – enclosed petition of 119 signatures in objection also:
The new establishment would compete with our sales and livelihoods;
No express prerequisite for a further food outlet of this kind;
March already has a large selection of food businesses with 11 in close proximity to this site;
The Town Council should be supporting innovative unique businesses to the town.

USA Chicken – enclosed petition with 56 signatures of objection also:
Affect of pizza sales; too many food businesses already in the town;
More shops are required in the town to get the public back to do their general shopping and make the town profitable again.

Thing me Bobs – enclosed petition of 322 signatures of objection also:
Application is in contravention of Local Plan;
Applications should maintain and where possible enhance the present level of retail provision;
Local Plan states that encouragement must be given to those wishing to establish or extend retail development therefore retail element of No.14 must be protected;
Local Plan seeks to retain the prime retail function of the town;
Non retail uses will not normally be allowed by virtue of the Local Plan.

Marshalls of March – considers that further retail units on the west side of Broad Street will strengthen the town and the loss of a further retail unit will

weaken the attractiveness of this part of Broad Street.

The food outlet would be open late at night and could lead to crime and disorder issues and would lead to the need for security shutters.

Chilli Hut – opposes application; loss of business through loss of pizza sales; March has an existing large number of eating businesses; additional eating businesses could lead to further closure of existing shops.

2 further letters of objection also states that there are enough fast food outlets in March along Broad Street; a retail shop encourages other visitors to the town.

Concern for the future of existing food outlets and employment by local people.

4. **POLICY FRAMEWORK**

FDWLP Policy

S3

- The introduction or expansion of non-shopping uses at ground floor level within Primary Shopping Frontages will not normally be allowed.

Planning Policy Statements

PPS1

- Delivering Sustainable Development

PPS4

- Planning for Sustainable Economic Growth

5. **ASSESSMENT**

Nature of Application

This application seeks a change of use from A1 (shop) to A5 (hot food takeaway) at 14 Broad Street, March. The proposal also involves raising a roof at the rear of the premises and the installation of an extract duct and 2 No. compressors.

The application is considered to raise the following key issues;

- Site history
- Principle and policy implications
- Vitality and Viability

Site History

This is an existing retail shop unit located within the Primary Shopping Frontage of March. It was previously occupied by Walkers Bookshop and is presently used as a furniture store in association with another shop unit in Broad Street known as Thing me Bobs. The shop unit appears to have always remained in A1 use.

Principle and Policy Implications

The change of use of the shop from A1 retail to A5 hot food takeaway falls to be determined within Local Plan Policy S3 together with guidance contained within PPS4 : Planning for Sustainable Economic Growth.

Policy S3 of the Local Plan states that proposals for the introduction of non shopping uses at ground floor within the Primary Shopping Frontages will not normally be allowed. Supporting text from the Local Plan states that “to retain the prime retail function of the town centre it is important to control the introduction of non-retail uses into those areas”. Para.4.20 also states that “many non-retail activities have a place within shopping centres ... and these uses can help to attract shoppers to the central area. The loss of retail uses, however, to the extent that non-retail uses become dominant would be unacceptable since it would seriously prejudice the shopping function of the town”.

Para. 4.22 states that wherever possible, account will also be taken of any information in trends in usage of that centre, and the views as far as they can be ascertained, of those who trade there and those who shop there.

PPS1, para 27 (v) seeks to provide access for all jobs, health, education, shop, leisure and community facilities on foot, bicycle or public transport. Para. (vi) focuses development in existing centres to promote their vitality and viability.

PPS4 seeks to promote competitive town centres and to provide consumer choice by supporting a diverse range of uses which appeal to a wide range of age and social groups, ensuring that these are distributed throughout the centre. It also seeks to retain and enhance existing markets ensuring that markets remain attractive and competitive within the centres.

The Council's emerging Core Strategy considers that March will grow by up to 5,500 dwellings, thus increasing its population. Significantly, therefore, the need is to ensure that there is a sufficient retail element available to incoming businesses and future residents in the most accessible locations i.e. the town centre.

Vitality and Viability

In trying to determine the vitality of the town centre, consideration has to be given to the diverse range of services available. The Primary Shopping Frontages within Fenland's Market Towns are identified areas that should be mainly protected from inappropriate forms of use whilst maintaining a relevant mix of retail and other uses.

Both the east and west side of Broad Street fall within the Primary Shopping Frontage which seeks essentially to protect A1 uses against change.

March is a typical market town where the pressures of out of town retailing results in competition between these uses and, therefore, it is important to maintain and enhance the present level of retail provision within the town. It is the objective of the Local Plan to control the introduction of non-retail uses within the town centre to maintain its primary retail function.

Broad Street is the main thoroughfare in the town of March, but is divided by a central parking area and can be seen as two distinct parts of the principle shopping street in the town.

On the western side of Broad Street where No.14 is located there are a total of 15 units where 60% of the units will be in uses other than A1 retail (this includes the application site).

On the eastern side, there are a total of 17 units with 5 units not in retail use resulting in 29% of units used for other uses than A1. There is an existing application for a change of use from retail to café on the eastern site and if that unit is also changed from A1 to A3 this will bring the percentage of units not in retail use on the eastern side up to 35% which equates to 65% of the units only remaining in A1.

Overall out of a total of 32 units in Broad Street, there will be only 53% of shops remaining in retail use in Broad Street which is part of the Primary Shopping Frontage.

The LPA acknowledges that there is a particularly low level of vacant units in Broad Street, with this particular unit only recently becoming vacant, demonstrating that the level of occupancy is healthy in general in March.

The LPA considers that the reason why there are very few vacant units in Broad Street is because of the protection afforded by the primary shopping frontage and the high level of different retailers in March making the area attractive to retailers. It is obviously desirable to ensure that empty shop units do not remain in town centres for any length of time and consideration will always be given to other uses to promote town centres and encourage their use. However, it is considered that to allow the change of this unit to A3 will have an adverse effect on the vitality and viability of the town centre.

The Local Plan does state that many non-retail activities have a place within town centres as long as they do not become dominant and as can be seen from the information above, it is considered that the combined amount of non retail uses in Broad Street is becoming a dominant factor.

Details of proposed use

The use is to provide a Domino Pizza outlet which will operate from 1000 hrs to 0100 hrs Monday to Saturday and 1100 hrs to 0100 hrs on Sunday. It is stated that the use will provide 8 full time jobs and 25 part time jobs. Dominos have over 650 units in the UK and provide a home delivery service. Recent reports indicate that on-line sales are growing at a phenomenal rate (Internet Retailing Feb 2012) with some stores experiencing 75% of their sales on line.

Dominos also has produced a retail report which considers that the Primary Shopping Frontage detailed in the Local Plan which seeks to disallow any non-shopping use other than a qualified consideration of A2 units is an unworkably harsh presumption which significantly affects the vitality and viability of the shopping centre.

However, since the imposition of the Primary Shopping Frontages there has been a significant amount of other uses allowed which brings into play whether the dominant use within the PSA's is still retail. This is of course subjective, but the percentage figures above for Broad Street does demonstrate that there is a strong mix of uses and that retail use is being significantly diluted.

The use also involves the installation of an extractor flue which the Council's Environmental Protection Section wish to see conditioned appropriately to ensure there is no noise or odour problems. The flue will be to the rear of the premises on a flat roof which will be lifted by approx 600mm.

The proposal also involves the use of the Grays Lane access for delivery vehicles. This area of land is presently unused, but was originally used by vehicles, therefore, the Local Highway Authority does not have any objection to continuing this use even though there is limited visibility onto Grays Lane.

Conclusion

Town Centres need a critical mass of retail opportunities if they are to remain vibrant, whilst cafes and takeaways have a role in supporting the town centre they are ancillary to the offer of the town centre not a destination or draw in their own right. It is acknowledged that locally suggestions have been muted with regard to town centres being likely to contract in the future in response to changing lifestyles and shopping habits, nevertheless the principle shopping areas of March, and their inclusion within the primary shopping frontage, suggest that a concerted effort should be made to protect the central core from an over proliferation of non-shopping uses.

Whilst what constitutes 'dominant' is a subjective assessment, Officers consider that the use proposed in the location identified will have a negative effect on the principle shopping area and should be resisted. Officers are keen to see the premises kept in retail use and the change of use should not be to the cost of Broad Street through diluting the 'amount' of retail offer; or indeed local consumers - through reducing choice and shopping opportunities.

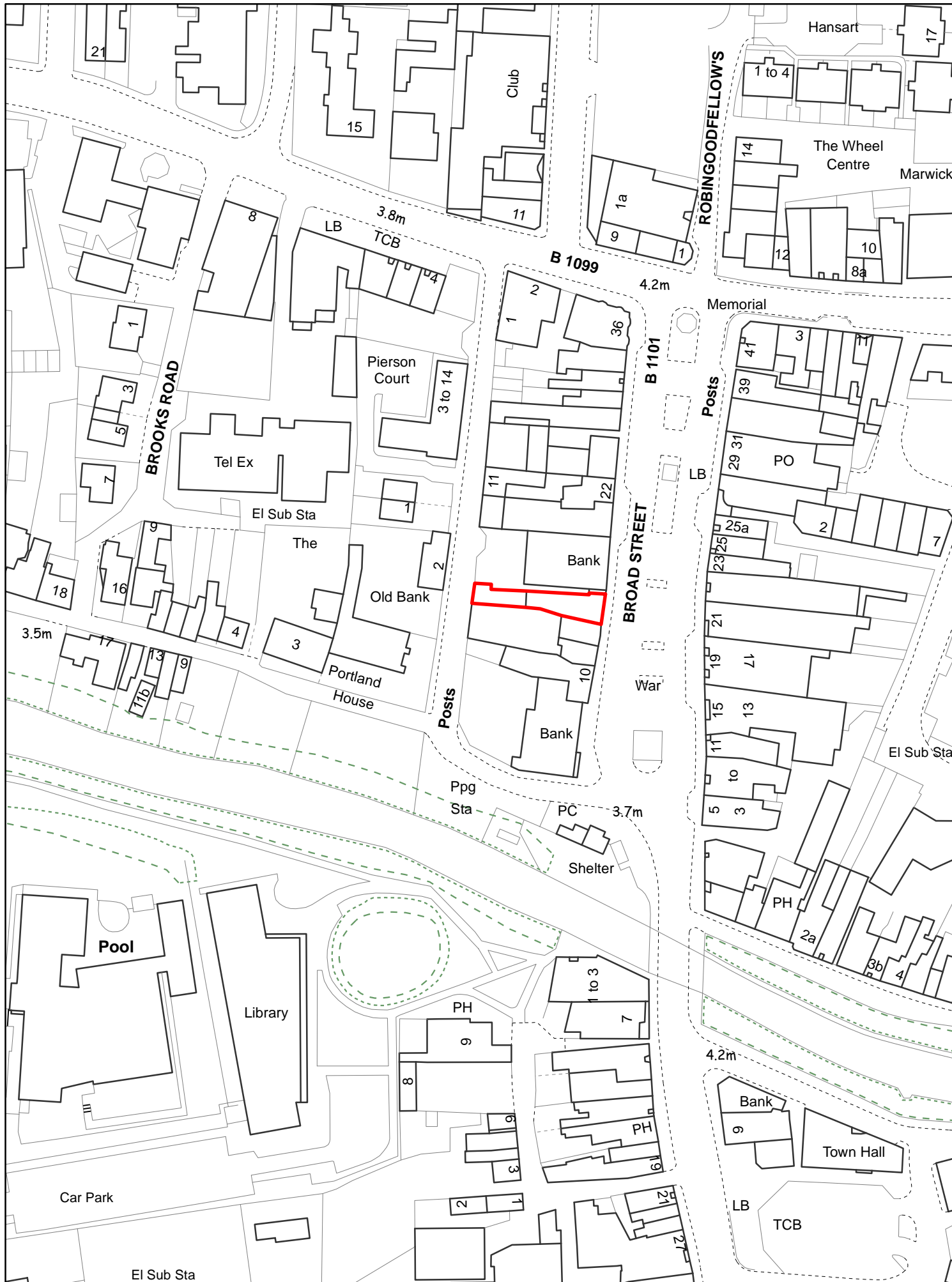
In the Department for Business Innovation and Skills – Healthy High Street Publication 'Diverse consumer offer' is highlighted as a key sign of a healthy shopping area. It suggests that stakeholders in the town centre should ascertain whether their town centres have enough diversity on offer to meet consumer requirements and expectations, noting that a narrowing of the offer can impact on high street health. It is acknowledged that often people visit a town centre with a specific purpose or destination in mind; and if it disappears, so will most of its customers.

Therefore, in light of the above Officers consider that the proposal will have a detrimental impact on the health of the main shopping core in March and should be refused in line with Policy S3 of the Local Plan.

6. **RECOMMENDATION**

REFUSE

The proposal is contrary to Policy S3 of the Fenland District Wide Local Plan 1993 in that the loss of a further retail unit in the Primary Shopping Area for March would detrimentally affect the vitality and viability of March Town Centre



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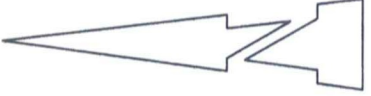
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| CLIENT | |
| PROJECT 14-16 Broad Street, March, Cambridgeshire PE15 8TG. | |
| TITLE Proposed Change Of Use To A5 BLOCK SITE PLAN. | |
| SCALE @ A3 1:200 | DRAWN BY BSC |
| DATE 05/12/11 | REVISION |
| DRAWING No C4753-A5-05 | |