

Application Number: F/YR12/0517/F

Minor

Parish/Ward: Tydd St Giles

Date Received: 10 July 2012

Expiry Date: 4 September 2012

Applicant: Mr M Heathcote

Agent: Mr M Heathcote, The Village Stores, Tydd St Giles

Proposal: Change of use from A1 to residential use.

Location: The Village Stores, Church Lane, Tydd St Giles

Site Area/Density: 40m²/0.004ha (area relating to the change of use)

Reason before Committee: Due to the amount of objections received.

1. EXECUTIVE SUMMARY/RECOMMENDATION

This application seeks change of use of a room in an existing dwelling from A1 (retail) to C3 (residential). The shop is relatively small and has only been in operation for one of the past 5 years. Two different occupiers have had failed attempts at making the business viable. Although there are no other shops in the village, Tydd St Giles does benefit from a relatively large amount of amenities when bearing in mind the size of the settlement. The loss of this retail unit is, therefore, not considered to have a detrimental impact on the sustainability of the community. Whilst the situation is regrettable, it is not considered that the retention of the vacant unit would be in the interests of the amenities of the area or the community in general. It is therefore recommended that the proposal is granted planning permission.

2. HISTORY

Of relevance to this proposal is:

- | | | | |
|-----|------------------|---|---|
| 2.1 | F/YR08/3041/COND | Details reserved by Conditions 03, 04, 05 and 07 of planning permission F/YR04/3473/F (Erection of part 2-storey, part single-storey extensions to existing shop to provide café and 3-bed dwelling). | Discharged
17/02/2009
(not implemented) |
| | F/YR04/3473/F | Erection of part 2-storey, part single-storey extensions to existing shop to provide café and 3-bed dwelling. | Granted 10/06/2004
(not implemented) |
| | F/1128/89/F | Change of use from shop to residential | Granted 22/11/1989 |

3. PLANNING POLICIES

3.1 National Planning Policy Framework:

Paragraph 2: Planning law requires that application for planning permission must be determined in accordance with the development plan.

Paragraph 14: Presumption in favour of sustainable development.
Section 3: Supporting a prosperous rural economy
Section 8: Promoting healthy communities

3.2 **East of England Plan**

ENV7: Quality in the Built Environment

3.3 **Draft Fenland Core Strategy:**

CS4: Employment, Tourism, Community Facilities and Retail

CS14: Delivering and Protecting High Quality Environments across the District

3.4 **Fenland District Wide Local Plan:**

E9: Proposals for the alteration and extension of existing buildings should normally respect the scale, style and character of the original building, use matching materials, have regard for the amenity of adjoining properties and the locality in general, provide adequate access, parking, manoeuvring and amenity space, in accordance with the Council's adopted standards.

4. **CONSULTATIONS**

- 4.1 ***Parish/Town Council:*** Object to the change of use as it is felt that a village shop is the life blood of the community.
- 4.2 ***FDC Business Rates:*** Confirms that the shop was not occupied between April 2008 and June 2011 or between April 2012 to present.
- 4.3 ***FDC Valuation and Estates Manager:*** Would not expect to see a profitable shop with a floor area less than 40m². The accounts show that there was a downward trend in profitability when the economy was in a stronger position than the post-2008 financial crisis. The reduction in net profit and decline in turnover point towards the business being unsustainable in the medium/long term. With the proximity of large supermarkets and the continued growth of online grocery shopping the competitive ability of businesses with limited footfall and passing trade, such as the Village Stores, will be reduced. On the basis of the information provided and observations of the market for such village enterprises, it is considered that the Village Stores is not a viable trading entity.
- 4.3 ***Cambs Acre:*** The community could run their own village shop which would not have to function from that particular building. It could be a pre-fabricated building or it could be run from another community asset such as a

church or village hall.

If the Council grant planning permission for the change of use of the shop Cambs Acre will be able to support the community in opening a community owned shop.

4.3 **Local Residents:**

17 letters of support for the change of use received, comments as follows:

- the shop is no longer a viable proposition
- there is a reasonable bus service into town for use of supermarkets
- the shop caused parking issues for users of the neighbouring hair salon
- the shop in the neighbouring village is 5 minutes away
- 'full support'
- four attempts to make the shop a viable business have failed due to lack of local support
- the premises is in risk of becoming another vacant building along Church Lane
- the Parish Councils opposition against the proposal is aimed at the applicant, not the change of use of the shop
- attempts to run the shop by others, not just the applicants, have also failed
- the proposal will reduce the amount of vehicular traffic and parking outside of neighbouring residential properties

10 letters of objection for the change of use received, comments as follows:

- it is believed that the large population of retired people would make use of a shop
- it could be a busy shop in the hands of business minded owners
- there are not many amenities within the village
- cannot see how there would be another opportunity for a shop in the village
- the village does not currently have a shop
- the village would lose its commercial license to have a shop
- there has been a shop in the village since the 1920s
- there is a need for the shop
- the shop is a viable proposition
- elderly people have to catch a bus to either Wisbech or Long Sutton for shopping

- driving 6 miles for goods is not sustainable
- the village needs a retail hub and a meeting place
- there is no other property suitable for a shop
- the shop is needed as not everyone is able to drive or get the bus to other settlements
- the holiday homes in the golf course need a shop
- hope that the shop is re-opened by someone other than the current owners
- the shop belongs to the village
- the applicant should move on, buy a house and let someone else run the shop
- would like the shop to re-open
- there is a rising transport cost for villagers

5. **SITE DESCRIPTION**

- 5.1 The building is a semi-detached property located in close proximity to the Church Lane, Hockland Road junction. The majority of the building is in residential use and only the front room on the ground floor is in retail use. The garage/store, which previously served the dwelling was granted a change of use to A1 (hairdressers) is located to the north of the site. The access, parking and garden area are located to the north and west of the building respectively. The area is mainly residential in character.

6. **PLANNING ASSESSMENT**

- 6.1 The key considerations for this application are:
- Principle and policy implications
 - Viability
 - Consultation responses.

(a) Principle and Policy Implications

Sections 3 and 8 of the National Planning Policy Framework stipulate that the retention of local facilities, such as shops, should be promoted. Specifically it states that decision making should guard against the unnecessary loss of facilities particularly where this would reduce the community's ability to meet its day to day needs. However, CS4 of the emerging Core Strategy states that proposals that would lead to the loss of community facilities will be permitted if it can be demonstrated that the retention of the facility is no longer viable, there is a lack of need for the facility or an alternative facility is provided.

There will be no changes to the external appearance of the building or the parking requirements and, therefore, no concerns are raised with respect to Policy E9 of the Local Plan.

(b) Viability

The submission states that since the current owners took on the shop in 2000, trading ceased between 2008 and 2011 due to lack of profit. The shop was then rented to a third party who ran it from May 2011, with a Government subsidy, however, due to a loss of profit the shop closed again in March 2012.

The financial accounts, which have been provided as part of the application, show that there was a general downward trend in profitability of trade from the shop premises over that period. It is important to note that the accounts date from before the post-2008 financial crisis when the economy was in a far stronger position. Given the reduction in competitive ability of businesses with a limited footfall, such as the Village Stores, due to the proximity of supermarkets and the growth of online grocery shopping, it is suggested that the business would be unsustainable for the medium/long term. Based on the information provided, FDC Valuation and Estates Officer is of the opinion that the shop is not a viable trading entity. As such Officers consider that it is unlikely that the shop would re-open.

The nature of a village shop is such that it would be used if there is a demand for it. In this instance it has been suggested that lack of profit is to blame for the closure of the shop. This is likely to be attributed to a lack of use as the use of the shop would generate an income. With this in mind it is considered that the shop does not constitute an important community facility. Tydd St Giles benefits from a church, school, hairdressers and public house and, therefore, the village would not lose its community hub if the change of use is granted.

It is important to note that it is beyond the planning remit to force the shop to run and as such refusing the application would not necessarily mean that the shop would re-open. Weight should be attached to the benefits gained by bringing the front room of a prominent building back into use by allowing the change of the space into residential. There are other buildings along Church Lane, which are in a state of disrepair. As it seems unlikely that the shop would re-open, due to financial implications, the poor visual amenities along Church Lane could be exasperated by another vacant building.

(c) Consultation responses

There has been a significant amount of local representation received in respect of the proposal as per section 4.3 of this report. Of interest there have been comments relating to having other personnel running the shop. Whilst these points have been noted, the statement submitted in support of the application states that the shop had been rented out to a third party who also were unable to make the business profitable.

Cambs Acre has indicated that there are methods available, other than retaining the use of part of this building as A1, to provide a community shop. Although beyond the remit of this application, if the community have a desire for a village shop, it is within their power to join together and form one. The proposal would, therefore, not necessarily result in the irrecoverable loss of a retail unit for the village.

7. CONCLUSION

- 7.1 Whilst the loss of this village facility is regrettable, given the amount of time the shop has been closed within the past 5 years and the other facilities available, it is considered that the proposal is unlikely to be to the detriment of the vitality of the village. The benefits gained from bringing into use part of a building in a prominent location are considered to outweigh the risks involved retaining an A1 use, which is not viable. On balance, it is, therefore, recommended that planning permission is granted.

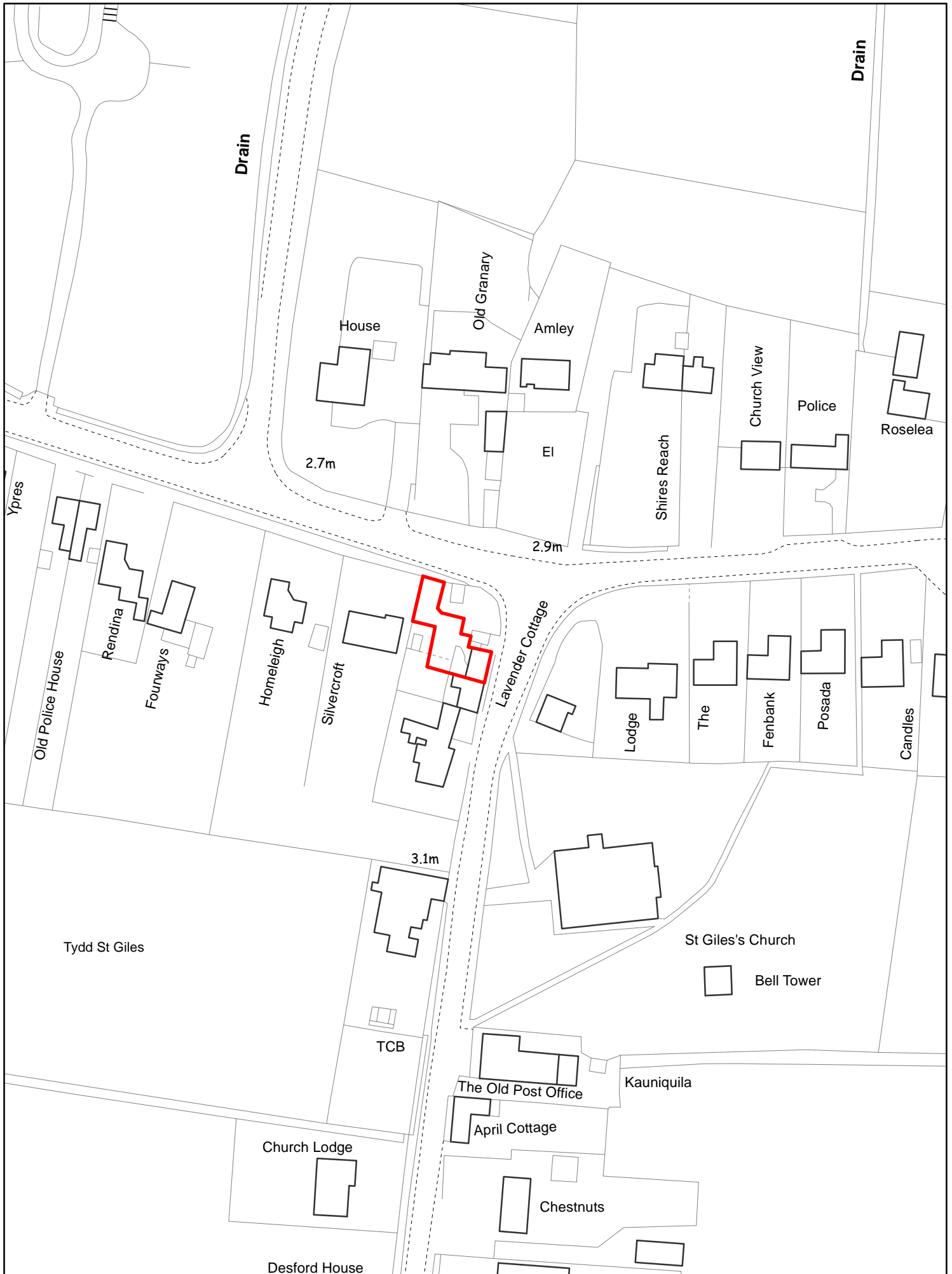
8. RECOMMENDATION

Grant – with the following conditions.

1. **The development permitted shall be begun before the expiration of 3 years from the date of this permission.**

Reason - To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.

2. **Approved Plans**



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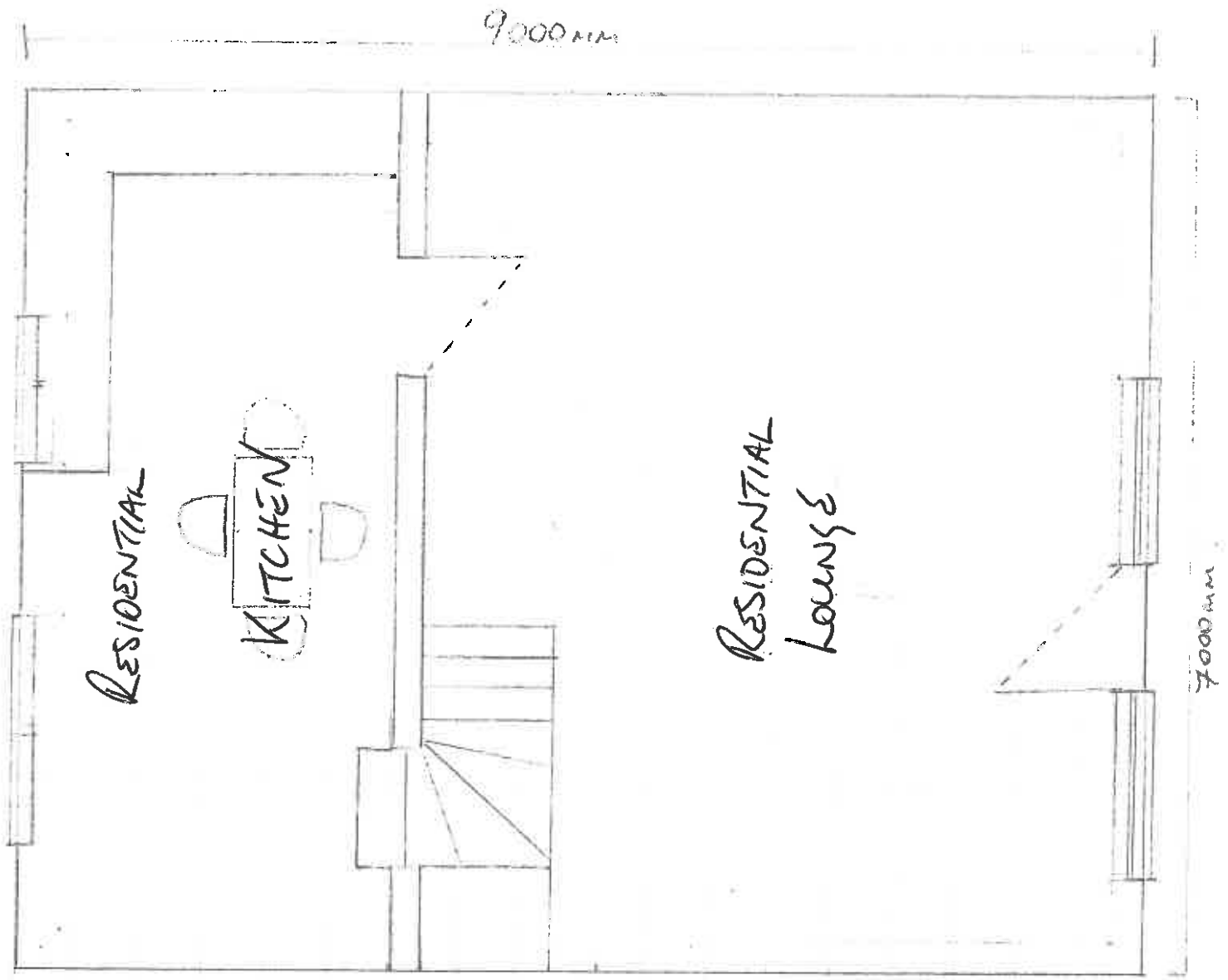
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PROPOSED
GROUND
FLOOR
PLAN
VILLAGE STATION
TYPE 1A COLONY

1:50



EXISTING
GROUND

FLOOR

PLAN

VILLAS

1400 ST. STREET

1:50

9000 mm

