

Application Number: F/YR14/0787/F

Minor

Parish/Ward: Chatteris Town Council/Wenneye

Date Received: 1 October 2014

Target Determination Date: 17 December 2014

Agent: Peter Humphrey Associates Ltd

Applicant: Mrs M Ketteringham

Proposal: Change of use from A1 retail to A2 Estate Agents

Location: 6 High Street, Chatteris, Cambridgeshire, PE16 6BE

Reason before Committee: This application is before committee following receipt of 6 letters of objection

1. EXECUTIVE SUMMARY/RECOMMENDATION

This application seeks full planning permission for the change of use of an existing shop from A1 to A2 use at 6 High Street, Chatteris, Cambridgeshire.

The site is located within the Conservation Area of Chatteris, in an area designated as being within the Primary Shopping Frontage (PSF).

The key issues to consider are;

- Policy Considerations;
- The impact of the development on the vitality and viability of the town centre;
- Impact on Amenity.
- Health and Wellbeing;
- Economic Development.
- Changes to Permitted Development Changes of Use GPDO 2013

The application is in accordance with policy LP6 of the Fenland Local Plan. It is considered that the nature of the use will ensure continued promotion of the viability and vitality of the town centre shopping area and therefore accords with the main steer of policy LP6 and paragraph 23 of the NPPF in this regard.

In addition the proposal is not anticipated to adversely impact the amenity of neighbouring properties or the area in general and is considered to respect the character and appearance of the Conservation and main retail area in retaining the attractive shop front appearance thereby complying with policies LP2, LP16 and LP18.

Members are advised that under the GPDO 2013 amendments introduced in May 2013 involving a change of use below 150m² from A1 retail to A2 Financial and Professional Services constitutes permitted development. This amendment will expire by the end of May 2016.

Notwithstanding the above, the applicant wishes the application to be determined as submitted, and the recommendation is to approve the application

2. HISTORY

Of relevance to this proposal is:

2.1 F/YR14/0788/A Display of 2 x non-illuminated fascia signs Granted 12.11.2014

3. PLANNING POLICIES

3.1 National Planning Policy Framework:

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

Paragraph 14: Presumption in favour of sustainable development.

Paragraph 17: proactively drive and support sustainable economic development.

Paragraph 23: Ensuring the vitality of town centres

Paragraph 131: Conserving and enhancing the historic environment

3.2 Fenland Local Plan:

LP2: Facilitating the Health and Wellbeing of Fenland Residents

LP6: Employment and Retail

LP16: High Quality Environments

LP18: Historic Environment

4. CONSULTATIONS

4.1 Chatteris Town Council:

Recommend refusal on the following grounds:

- 1. The addition of another estate agent is contrary to government guidelines on the sustainability of town centres.*
- 2. Traffic concerns over lack of parking provision outside the premises on a bend where there are double yellow lines.*

4.2 CCC Highways:

There wouldn't be any significant difference between the two Uses in terms of their multi modal trip generation. I would expect there to be a slightly higher demand for parking with estate agents coming and going, however it could be argued that A1 retail could attract higher customer numbers through the door and therefore the impact on kerb side parking could be greater under its existing Use classification.

I therefore conclude this change of use application gives me no reason raise any highway objections.

4.3 FDC Conservation:

The property is located within the Chatteris Conservation Area. It is an early to mid-19th-century construction built in local gault clay brick with a slate roof. It has a very good traditional timber shopfront with a pair of 6/6 sliding sashes to the first floor. It makes a positive contribution to the streetscene.

The building is currently empty and I therefore welcome its reuse. The proposed change of use will provide a timely opportunity to redecorate the sash windows and remove/rationalise some of the wiring/trunking on the principal elevation including the air conditioning unit.

Recommendation: Approve

4.4 MIDDLE LEVEL COMMISSIONERS:

Will not be commenting

4.5 LOCAL RESIDENTS:

6 letters of objection raising concerns over;

- a) Further loss of retail in PSF and impact on diverse retail offering
- b) Large number of existing estate agents questioning the need for more
- c) Increase parking problems resulting from the proposal

4 Letters of support received in respect of;

- i) Creation of employment
- ii) Proposal preferred to a vacant shop which promotes community pride and provides a service
- iii) Too many unoccupied shops at present within the Town.
- iv) The struggle to occupy shops for retail purposes

5. SITE DESCRIPTION

- 5.1 The site is located within the Conservation Area of Chatteris, in an area designated as being within the Primary Shopping Frontage (PSF). The shop incorporates approximately 8m of shop front and is on the end of Chatteris PSF to the south.

6. PLANNING ASSESSMENT

- 6.1 The key issues to consider are;

- Policy Considerations;
- The impact of the development on the vitality and viability of the town centre;
- Impact on Amenity;
- Health and wellbeing;
- Economic development.

6.2 Policy Considerations –

The proposed use is A2 (financial or professional services). The existing permitted use of the unit is A1 retail use. The proposal has been considered in line with the NPPF and local planning policies namely LP2, LP6, LP16 and LP18 of the Fenland Local Plan. Paragraph 17 of the NPPF is clear that proposals for sustainable economic development should be supported.

The proposal would generate employment and can be considered as economic development. Section 2 of the NPPF requires Local Planning Authorities to promote town centre competitiveness, vibrancy, vitality and viability, including ensuring a viable mix of appropriate uses.

Policy LP6 of the Fenland Local Plan allows for a flexible mix of uses but makes provision to exercise a degree of control over changes of uses of ground floor units within the PSF restricting uses to A2, A3, A4 and A5 where appropriate. The policy outlines that units within the PSF should be retained *predominantly* for a retail purpose. Predominantly in this instance is set at approximately 75% of the PSF. Furthermore, it is noted that development for a non-retail use at ground floor level within a Primary Retail Frontage will be supported provided that the proposal would retain the predominant retail element within the PSF and there is no impact on the vitality and viability of the town centre as a whole.

Local policies LP2 and LP16 of the Fenland Local Plan seek to ensure that when considering proposals for new development, issues including the scale, style, character, appearance and amenity are taken into consideration. LP16 together with LP18 seek to ensure that the historic environment is conserved, protected and where possible enhanced.

6.3 Impact on vitality and viability of town centre –

The proposal will see the introduction of a non-retail use into the PSF along High Street, Chatteris. The existing retail shop occupying the site is vacant. The application seeks an A2 permission to allow for an estate agents.

A mixture of uses exists in the High Street PSF area of Chatteris, of which a majority is A1 retail use. Current data provided by FDCs Business Efficiency Team indicates that approximately 63% of the PSF is occupied by A1 Retail use. This is less than the 75% desirable level identified in the Local Plan. However, the introduction of the proposed A2 use would continue to retain a predominant retail element within the PSF, albeit less than the 75% desirable level set within the Local Plan and therefore accords with LP6 in this regard.

The A2 use proposed will introduce an estate agents into the town centre and the fringe of the PSF. The Town and Country Planning (Use Classes) Order 1987 (as amended) enables A2 uses to move freely to an A1 use without the need for express planning permission. Therefore should an A2 use not be required in the future, the premises could change to an A1 use without any application requirement.

The current shop frontage will be retained which is attractive and respects and conserves the Conservation area and the primary retail area in which it is set therefore complying with policies LP16 and LP18. It is considered therefore that the proposal is unlikely to reduce the attractiveness of the PSF to shoppers.

The shop is currently vacant and the proposal would therefore re-introduce a use which is considered preferable to the possibility of a continued vacancy in terms of its impact on the vitality of the town centre which could otherwise appear unattractive to shoppers. It is noted that approximately 3 shops within the PSF are vacant at the time of writing the report.

It is therefore considered that the introduction of an A2 use would not significantly reduce the level of retail use along this area of the PSF which in turn would continue to provide a predominant retail offering. The proposal would therefore not adversely affect the vitality and viability of the town centre as a whole and is therefore in accordance with LP6.

6.4 Impact on Amenity

In considering policies LP2 and LP16 of the Fenland Local Plan, the introduction of the business is not anticipated to give rise to any amenity problems in terms of noise nuisance, environmental concerns or other adverse impacts.

Concerns have been raised over highways impacts of the proposal. The premises is situated within the town centre of Chatteris and has a historical commercial use. It is considered that the proposed use would not intensity a parking requirement. In fact the Local Highways Authority have concluded that *“the impact on kerb side parking could be greater under its existing [A1 retail] Use classification”*

6.5 Other Matters

Members are advised that under the GPDO 2013 amendments involving a change of use below 150m² from A1 retail to A2 Financial and Professional Services constitutes permitted development. This is provided the use is commenced up to and until May 2016.

Notwithstanding this, the applicant wishes the application to be determined as submitted and the recommendation is to approve the application

There are no Government guidelines as to how many estate agents should exist within Town Centre locations and it is a matter for the LPA through the use of planning policies to ensure that the vitality and viability of town centres is not compromised through the introduction of varying commercial uses outside of retail. Policy LP6 therefore sets out criteria to reinforce this and it is considered that these criteria have been satisfied as identified above.

6.6 Health and Wellbeing

In accordance with Policy LP2 of the Local Plan development proposals should positively contribute to creating a healthy, safe and equitable living environment. It is considered that the proposal will not adversely impact on the living environment of the community.

6.7 Economic Development

Policy LP6 seeks to strengthen the role of market towns and increase the viability and vitality of town centres in order to boost the economy. It is considered that the proposal would introduce an appropriate use which would reintroduce an appropriate commercial use into the PSF thereby bolstering the vitality and viability of the town centre and therefore satisfies LP6.

7. CONCLUSION

- 7.1 The application is in accordance with paragraphs 2, 14, 17, 23 and 131 of the National Planning Policy Framework and accords with policies LP2, LP6, LP16 and LP18 of the Fenland Local Plan. It is considered that the nature of the use will ensure continued promotion of the viability and vitality of the town centre shopping area, will support the drive towards economic growth and will not introduce a dominant non-retail use into the locality. The proposal for A2 use could also commence under the amended permitted development changes introduced in May 2013. However, the applicant is seeking a longer term use that that allowed under current permitted development legislation.

In addition the proposal is not anticipated to adversely impact upon the amenity of neighbouring properties or the area in general and is considered to respect the character and appearance of the Conservation area in which it is set.

Accordingly, this application is recommended for approval.

8. RECOMMENDATION

Grant subject to the following conditions

- 8.1 **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.

- 8.2 **Approved Plans**

Reason - To safeguard the visual amenities of the area.



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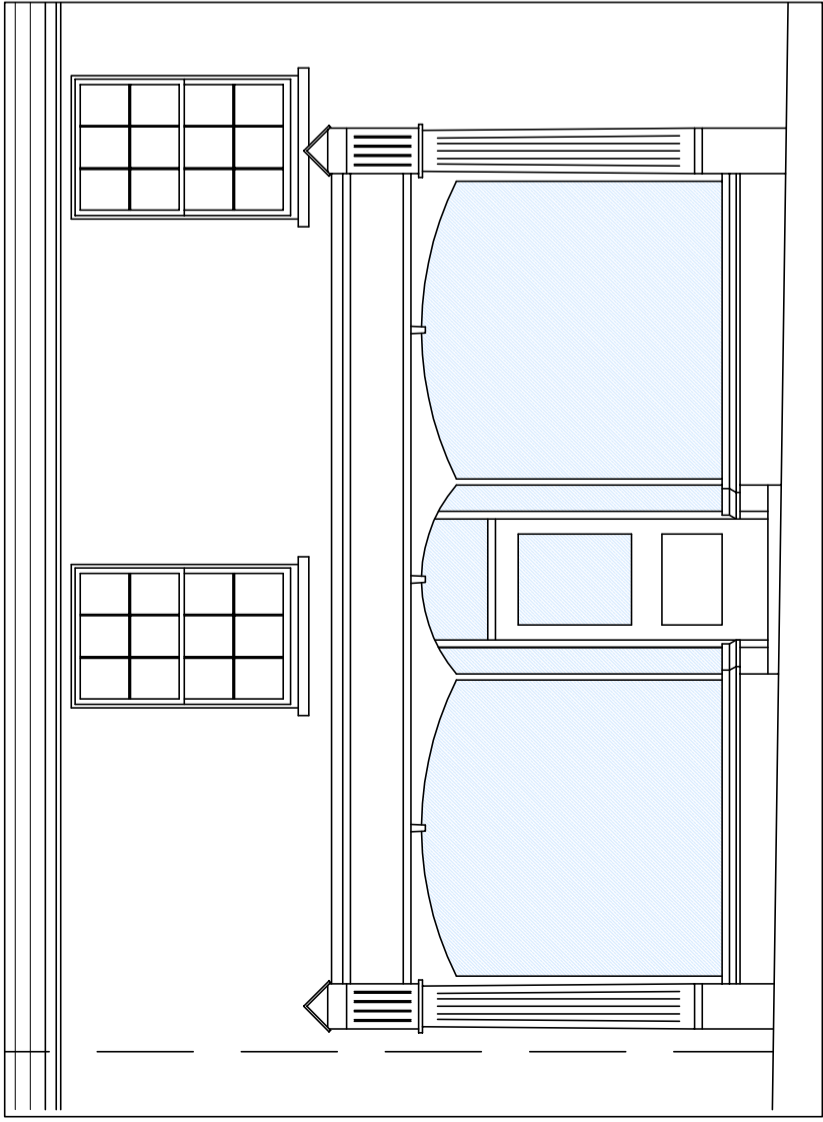
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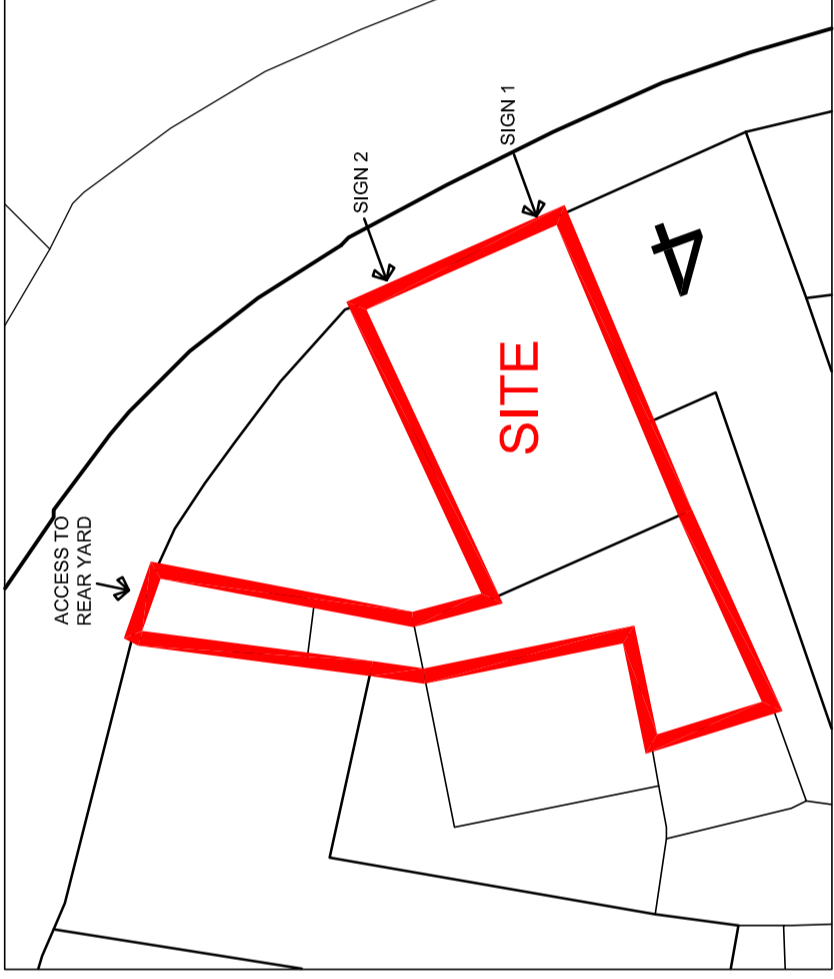


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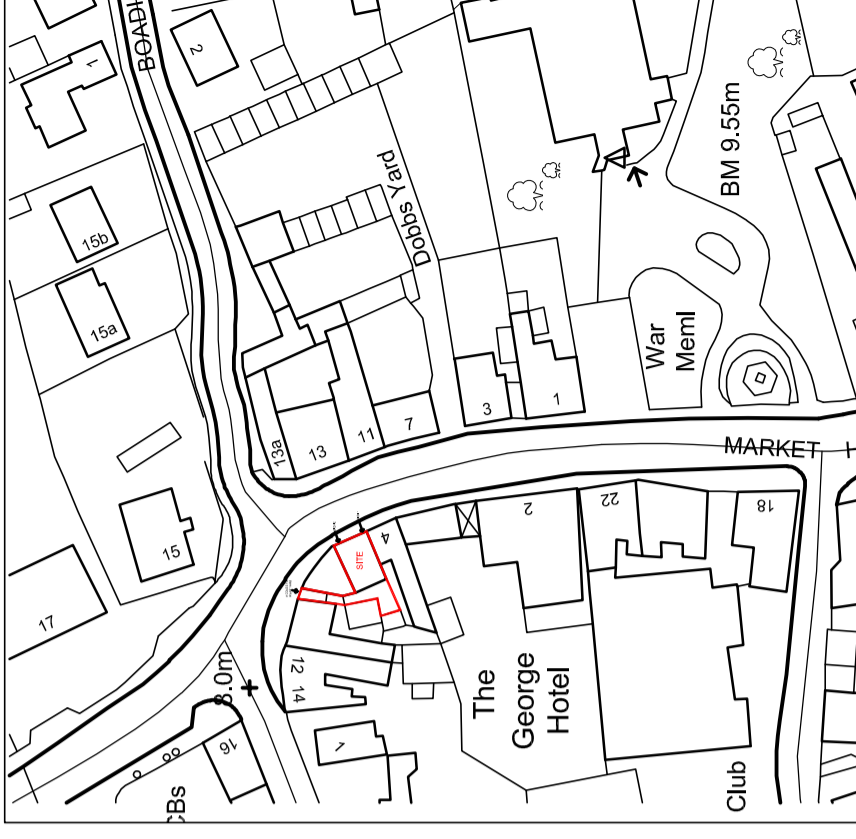




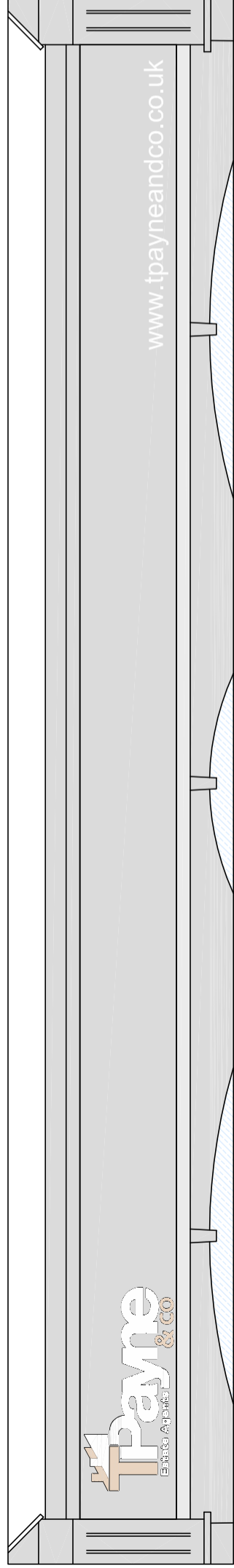
EXISTING ELEVATION 1:50



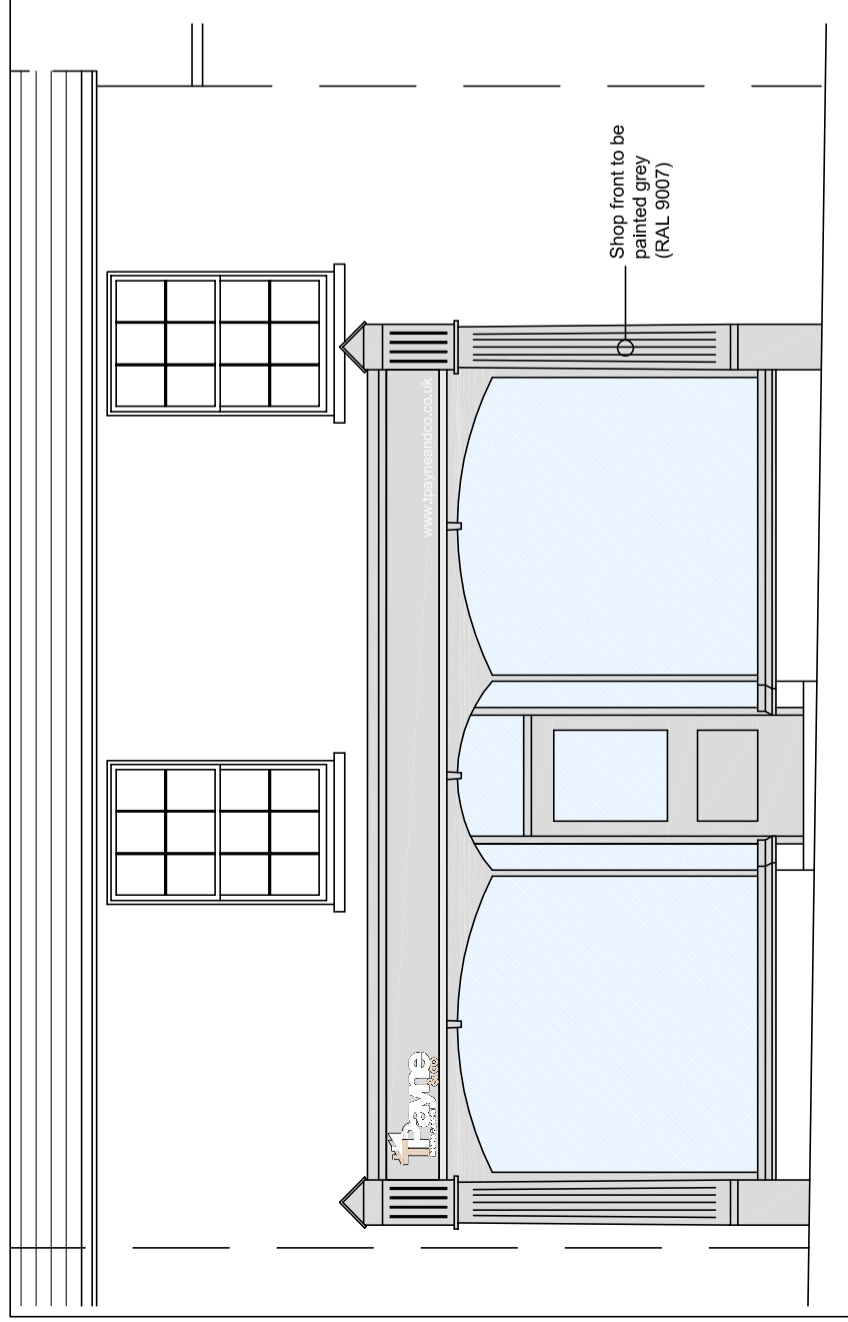
SITE PLAN 1:200



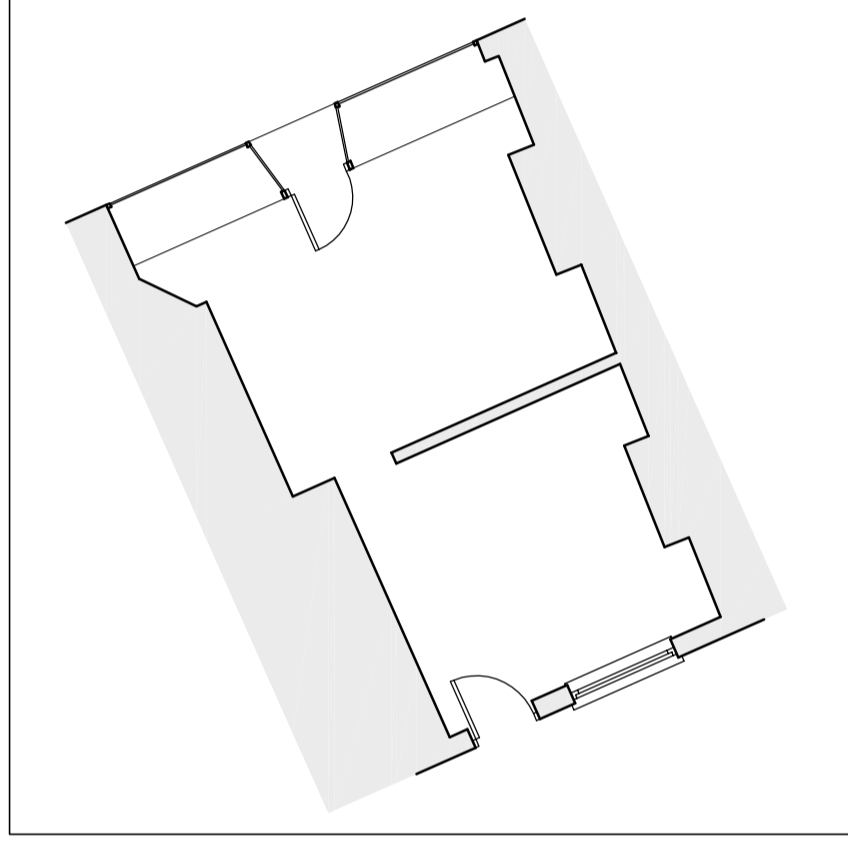
LOCATION PLAN 1:1250



PROPOSED SIGN 1:20



PROPOSED ELEVATION 1:50



FLOOR PLAN 1:100



PROPOSED LOGO



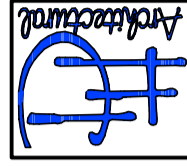
PROJECT
CHANGE OF USE FROM SHOP TO ESTATE AGENT

SITE
6 HIGH STREET
CHATTERIS
PE16 6BG

DRAWING
PL01A
CLIENT
MRS KETTERINGHAM

DATE SEPT 2014 SCALE As Shown JOB No. 5189/01A

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Peter Humphrey Associates
ARCHITECTURAL DESIGN AND BUILDING
15, ST. JOHN'S STREET, CHATTERIS, PE16 6BG
TEL: 01945 466 466
FAX: 01945 466 433
E-MAIL: info@peterhumphrey.co.uk



Category Winner 08.08.10
Overall Winner 2010