DELEGATED REPORT

FILE REFERENCE: SMD/2016/0210

MAIN ISSUES:
- Loss of Retail Unit
- Amenity

PUBLICITY/REPRESENTATIONS

- Town Council – Not unneighbourly
- Highways – No objection
- Police - Internal liaison has taken place with the Neighbourhood Policing Inspector and the Licensing Unit. Neither have expressed any objection to this change of use application, although it is requested that a planning condition is imposed in line with the proposed hours of opening stated on the application form.
- Neighbours –None
- Environmental Health - This application is to replace a retail shop with a drinking venue. There are no immediate residential properties in the vicinity and with appropriate control over amplified sound and timings then it is not expected that this venue will impact adversely on the amenity of the area.

CASE OFFICER ASSESSMENT

The application relates to a vacant retail unit in the Smithfield Centre, a 1960's shopping centre development in Leek town centre incorporating the bus station.

Core strategy policy TCR1 states:

> *In primary frontages, proposals for changes of use to A1 retail will be supported. Development falling within other use classes will only be permitted where it will not create a concentration of non- shopping uses and result in an unacceptable change in the retail character of the immediate area or have an adverse effect on the vitality or viability of the town centre.*
>
> *Proposals for residential use at ground floor level in primary frontages will not be supported.*
>
> *Any non-A1 use must be complementary to adjacent shopping uses in terms of its operational characteristics and retain a display frontage appropriate to a shopping area.*
>
> *In secondary frontages, development falling within other use classes will be permitted where it will contribute to the vitality and viability of the town centre.*

Primary and Secondary frontages are not yet designated .That will take place through the

emerging site allocations DPD. However, the site is located in a Town Centre Shopping Street, and as such it will be considers as though it were primary retail frontage. The site is the penultimate unit in the parade of shops, before the bus station and access, beyond which the character of the street changes from mainly retail and commercial to predominantly residential. It is a relatively small unit in a parade of shops which includes a mix of retail and other town centre uses such as banks and restaurants, although the majority remain in retail use. The proposed micro pub is also a town centre use which would be complimentary to other uses such as retail. Accordingly it is not considered that the proposal will result in a loss of retail frontage or a significant break in frontage such that it would be detrimental to the vitality and viability of the town centre. It therefore complies with Policy TCR1.

Turning to the issue of amenity, the surrounding development is predominantly commercial, with similar shop units to either side, the bus station to the rear, and pubs / hotel opposite. A pub was formerly located on the opposite side of the bus station access. It is noted that there is no objection from the Environmental Health Officer or the police subject to conditions.

The proposed physical alterations to the building are minimal and raise no concerns and there are no highway objections.

Accordingly, it is recommended for approval.

RECOMMENDATION: Approve subject to conditions

Date: 15/06/16 **Signed**_____

Lisa Jackson – Case Officer

DEVELOPMENT CONTROL MANAGER COMMENTS:

Date 15/6/16 **Signed** 