DELEGATED DECISION REPORT

SMD/2017/0296	**83 HIGH STREET**	**CHANGE OF USE FROM A1 TO A4**
Valid 12/05/2017	**BIDDULPH**	
		(FULL - MINOR)

MAIN ISSUES

- Impact on the vitality and viability of Biddulph Town Centre
- Residential amenity;
- Highway safety.

DESCRIPTION OF SITE

The application site forms part of the primary shopping frontage of Biddulph Town centre and comprises a mid terraced two storey building with an enclosed yard to the rear. Accommodation currently comprises an A1 retail unit to the ground floor and a one bedroom flat with external access to the first floor.

PROPOSAL

Approval is sought to change the use of the ground floor accommodation only from A1 retail to A4 drinking establishment. No external alterations have been proposed as part of this application.

A supporting statement has been submitted in order to outline the business case of the applicants venture. The proposal is in relation to 'OnTap' which is a specialty Craft Beer and Gin Micro Bar, which follows 4 other similar ventures within Congleton. Clarification has been sought in respect of the hours of opening which have been confirmed as 10am – 10pm Monday to Sunday and Bank Holidays.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Core Strategy Development Plan Document (Adopted 2014)

S01 Spatial Objectives
SS1 Development Principles
SS1a Presumption in Favour of Sustainable Development
SS5b Biddulph Area Strategy
DC1 Design Considerations
TCR1 Development in the Town Centres
T1 Development and Sustainable Transport

National Planning Policy Framework

Paragraph(s) 1 - 17
Section(s) 2, 7

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

There is no site history relevant to the determination of this application.

CONSULTATIONS

Publicity

Site Notice expiry date: 05.07.2017
Neighbour consultation period ends: 07.06.2017
Press Advert: N/A

Public Comments

1 no. letter of representation has been received raises objection to the use of the rear yard which would result in a loss of privacy, especially if designated as a smoking area. This would be health hazard if windows were open and would also cause a noise nuisance.

Town / Parish Comments

No comments received.

Environmental Health

No comments received.

OFFICER COMMENTS

Principle of Development

In accordance with policy SS1 the Council will expect the development and use of land to contribute positively to the social, economic and environmental improvements of Staffordshire Moorlands. Policy SS1a states that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained within the National Planning Policy Framework (NPPF).

Policy SS5b seeks to enhance the role of Biddulph as a significant service centre and a market town; providing opportunities for new enterprises and businesses by promoting further development at the Victoria Business Park and within the urban area. Policy TCR1 aims to protect and enhance the vitality and viability of the retail offer of the Staffordshire Moorlands. Proposals relating to Biddulph Town Centre shall be assessed against policies in the Biddulph Town Centre Area Action Plan Development Plan Document. Policy STRAT1 of the strategy seeks to provide a range of town centre uses, principally retail, leisure and community uses. Within the

primary shopping frontages class A1 (retail) will be permitted. Development falling within other use classes will only be permitted where it will not lead to 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.

The development would not lead to a concentration of non-A1 units and it is considered that this development would be serve to enhance the town centre offering, contributing to the vitality and viability of the area. The principle of development in this location is therefore considered to be acceptable.

Design

Policy DC1 requires all new development to be well designed to reinforce local distinctiveness by positively contributing to and complementing the special character of the area in line with the Council's Design SPG.

The proposal relates to the change of use of the ground floor accommodation only. No structural alterations are proposed and no external alterations are proposed. Taking account of these factors it is not considered that the development proposed would detract from the character or appearance of the application site or the wider two centre.

Amenity

Policy DC1 requires all new development to protect the amenity of the area, including residential amenity in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping.

As this application relates to the change of use of the premises there will be no additional bulk or massing that could give rise to a loss of daylight or sunlight. Though the site is located within the town centre, there are number of residential units within the immediate vicinity. The unit itself is relatively small with the floor plan showing a small bar area and a total of six tables. Therefore the physical size of the floor area will restrict the number of people who can visit the premises.

Taking account of the opening hours stipulated it is not considered that the proposal would cause significant injury in terms of noise and disturbance. However, the level of potential impact would be greater if the rear yard were to be used by customers. It is considered reasonable to apply a condition that prevents the use of this space by customers.

Highway Safety

The application site is not served by any parking provision; however the site is located within the town centre which is served with a number of public car parking options. The centre is also well served by public transport. It is therefore not considered that the proposal would result in a harm to highway safety.

CONCLUSION / PLANNING BALANCE

This application seeks approval for the change of use of a ground floor retail unit to a drinking establishment. In accordance with policies SS5b, TCR1 and the Biddulph Town Centre Area Action Plan DPD, the proposed use would successfully contribute to the vitality and viability of the two centre. Furthermore the proposal would not detract from the character or appearance of the application site and therefore accords with policy DC1 of the SMDC Core Strategy and Chapter 7 of the NPPF. Subject to to an appropriately worded condition, it is not considered likely that the proposed development would result in significant injury to the amenity of nearby properties.

This application is therefore considered to accord with the Staffordshire Moorlands Core Strategy and the NPPF.

OFFICER RECOMMENDATION : Approve

Case Officer: Lisa Howard
Recommendation Date: 07.07.2017

X

Signed by: Jane Colley

On behalf of Staffordshire Moorlands District Council