DELEGATED DECISION REPORT

SMD/2019/0674 **Valid 31/10/2019**	**71 HIGH STREET** **BIDDULPH**	**PROPOSED CHANGE OF PURPOSE GROUP FROM CAFE (A3) TO CAFE PLUS TAKEAWAY (A5)** **(FULL - MINOR)**

MAIN ISSUES
Vitality and viability of Town Centre and impacts on residential amenity

DESCRIPTION OF SITE
71 High Street in Biddulph Town Centre. Red brick Victorian terrace with a fully glazed shop front with relatively traditional proportions and recessed entrance door. At first floor above the shop front there is one central window with a roof peak above, a feature that is repeated in the row. On the opposite side of the road there is the more recent development of Wetherspoons and the former coop building that is now occupied by B&M.

71 High Street was formerly a shop (latterly a florists) it became a café (Class A3) with planning permission in 2012 (SMD/2012/01271FUL).

PROPOSAL
Seeks planning permission for a change of use that would allow the café A3 to sell 'takeaway' food and stay open until 11pm (the premises currently closes at 4 or 5pm, - a planning condition requires the premises to close at 5:30pm). The new use would retain the existing extraction and ventilation system that was installed with approval relating to the grant of the 2012 planning permission.

The proposed use would effectively be a 'mixed' A3 and A5 use

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
T1 Development and Sustainable Transport

National Planning Policy Framework
Section(s) 2 Achieving sustainable development; 4 Decision Making; 6 Building a strong and competitive economy; 7 Ensuring the vitality of town centres.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS
SMD/2012/01271FUL Change of use from shop to café. Approved.

CONSULTATIONS

Publicity
Site Notice expiry date: 21st Jan 2020
Neighbour consultation period ends: 26th Nov 2019
Press Advert: N/A

Public Comments
One comment has been submitted to confirm that one of the near neighbours does not have any objection.

Town / Parish Comments
Biddulph Town Council: No adverse comments

Environmental Health
No Objection. Suggested conditions to control noise insulation, ventilation and opening hours.

Staffordshire County Council Highways
No Objection. Application site is a town centre location on Biddulph High Street. Parking is available nearby. Parking restrictions are in place on High Street.

OFFICER COMMENTS

Principle of Development
In the town centre Biddulph Area strategy SS5b applies. The strategy is to enhance the role of Biddulph as a significant service centre and a market town by, inter alia, supporting the retention and growth of existing businesses within the town. This could include the diversification of an existing business that enhances the vitality and viability of the high street and supports the commercial occupancy of high street premises. Increasing the applicant's sales opportunities by allowing him to open later and sell to takeaway customers can only comply with such a strategy.

Design
No alterations proposed for the shop front. The premises will continue to use the existing extraction concealed to the rear.

Amenity
There are other nearby premises that already contribute to the night time economy – Wetherspoons, opposite, and the Chinese takeaway a few doors along, for example. Later opening times and takeaway should not significantly increase the generality of high street or result in any detriment. The existing extraction system can be used without necessary upgrade or replacement. The applicant proposes sound

insulation for separating floors and party walls, he says that he intends to move into the first floor flat above the café.

Highway Safety
No Objection. Application site is a town centre location on Biddulph High Street. Parking is available nearby. Parking restrictions are in place on High Street.

CONCLUSION / PLANNING BALANCE
Assists the vitality and viability of the town centre high street without adverse impact.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Ben Hurst
Recommendation Date: 21st January 2020

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council