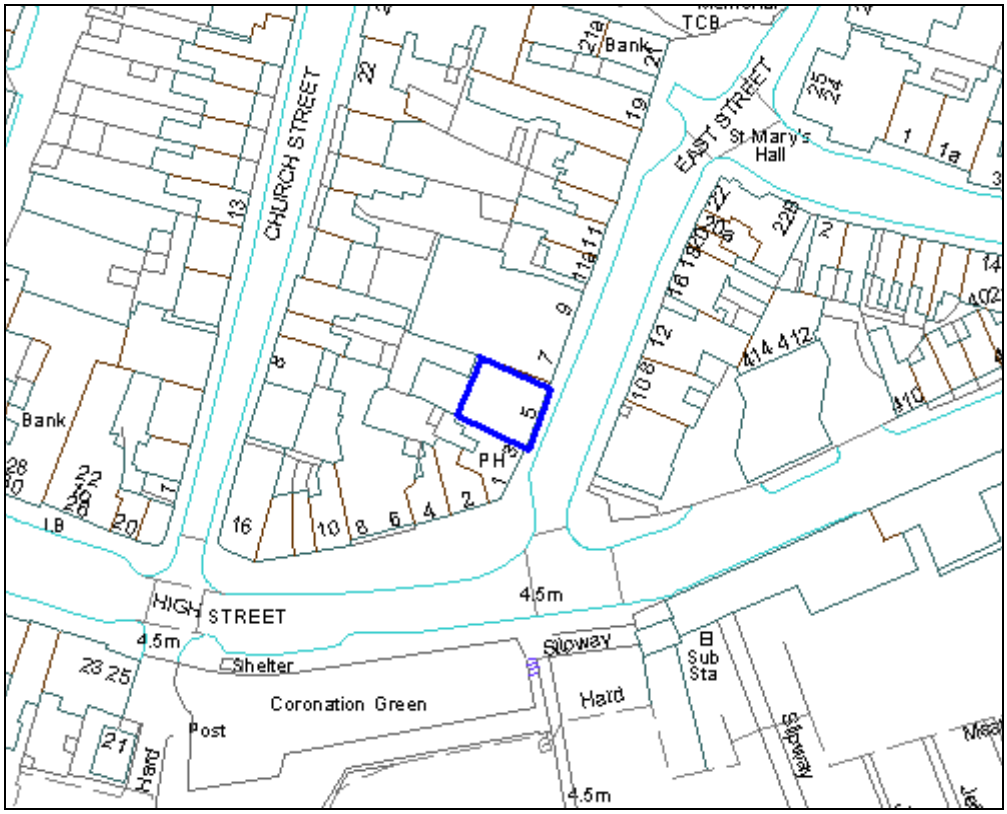
Application Number: **Recommendation – Refuse**
AWDM/0381/12

Site: **5 East Street, Shoreham-by-Sea, BN43 5ZE**

Proposal: **Change of use from shop (Class A1) to mixed use part A1 retail sales of beauty and dental products and part beauty treatment studio and cosmetic dentistry**

Applicant: Mr G Reed Ward: St Mary's
Case Officer: Peter Barnett



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Proposal, Site and Surroundings

The application relates to 5 East Street which is currently in use as a shop with 3 flats at the rear on the ground floor and on the upper floors. Permission is sought to change the use of the shop to beauty treatment studio and cosmetic dentistry (sui generis) with part retail sales of beauty and dental products (A1). The proposed floor plan shows a small display area at the front of the premises behind the existing shopfront but otherwise the unit is laid out with a waiting room/reception at the front (with retail display along one wall), a cosmetic treatment room and a cosmetic dental surgery, plus toilet,

bin store and retail store. No external changes to the building are proposed other than new signage (which would be subject of a separate application).

The site lies within East Street, which has recently been pedestrianised. It forms part of the wider shopping area and is considered to be primary shopping frontage. The applicant's agent has supported their case by making the following points:

- The property has been on the market for some four months (at the time of the application).
- There have been a few people looking at the property, but no other offers at all.
- From feedback it suggests that the shop is just too big for a normal shop, but too small for a convenience store.
- There is a comparable property at No. 15. This was empty for well over 18 months before the lease was taken on by Wall Brothers Carpets. Wall Brothers Carpets tried it for a year and could not make it economically viable. It has now been empty again for the best part of a year since they left. It suffers from the same problems.
- Similarly, the property at 4-6 East Street is also empty, the last usage not being economic.
- These properties in part suffer from the lack of passing traffic now that the area has been pedestrianised. There are clearly also the problems with parking and the like.

Relevant Planning History

ADC/0234/09 - Reduction of shop area to 91sqm and creation of a one-bedroom apartment to the rear accessed via the existing undercroft, minor external changes and provision of communal bin, recycling and cycle storage, and external rear roof terrace for first floor flat – Approved August 2009

ADC/0305/10 - Formation of one-bedroom flat at secondfloor level including part-hipped gabled rear extension and conversion of roof space (with rear dormer and front rooflights) – Approved December 2010

Consultations

Adur & Worthing Councils: The Adur Town Centres and Street Scene Co-Ordinator objects to the change of use. This application if granted would result in a significant loss in A1 retail space. The plan of the small area relating to the A1 use appears to indicate reception activities rather than retail. The premises occupy a prominent position in East Street, with large window display areas, which could well be blanked out or little used, which would negatively impact on the street scene. He considers it is important to retain as much retail space as possible to ensure the town remains a reason to visit

and shop, particularly as East Street has just benefited from a significant investment to create a more pedestrian friendly area, encouraging a continental style café/retail area. The town centre has a lower percentage of empty retail units than many other towns and, to date, most empty retail premises have been re-let in a short period of time.

Conservation Advisory Group: Object

Representations

2 letters/emails have been received from the business at 8-10 East Street and 20 East Street objecting on grounds that:

- It will result in the loss of a prominent retail unit
- While a vacant unit is not desirable, in the long term a good mix of retail units is needed to encourage people to visit the town
- There are already several beauty treatment and dentists within short walking distance of the site.
- This type of business does not need a shop frontage to run successfully
- Loss of shop would be harmful to Conservation Area
- East Street is becoming a street of restaurants and it is necessary to retain the retail element to ensure it remains welcoming to residents and visitors during the day
- Proposed use will be 'dead' to the street
- Site has been a pivotal retail site at entrance to East Street for many years

Relevant Planning Policies and Guidance

South East Plan: TC2
Adur District Local Plan (saved policies): AS1
The National Planning Policy Framework

Planning Assessment

Principle and impact on retail character of area

The proposal will result in the loss of a retail unit within the primary shopping area. While there will be a retail display within the shopfront the floor area of the premises will be predominantly non retail in character. Policy AS1 of the Adur District Local Plan states that development which involves the loss of existing shopping provision will not be permitted if the proposal is likely to detract from the character and vitality of the area.

The National Planning Policy Framework states that planning policies should be positive and promote competitive town centre environments. Town centres should be recognised as the heart of a community and their viability and vitality should be supported. Customer choice and a diverse retail offer which reflects the individuality of town centres should be promoted. Local planning

authorities should define the extent of town centres and primary shopping areas, based on a clear definition of primary and secondary frontages.

The Council has commissioned DTZ to look at, amongst other things, primary and secondary frontages in Shoreham town centre. Their emerging work has indicated that East Street should be designated as a primary shopping frontage and that it is important that it maintains a high proportion of A1 retail use as the retail uses on the west side of East Street support the more mixed uses on the east side Despite the fact that this work is emerging and will be used as evidence for the emerging Local Plan, it does at least give a steer in relation to interpreting policy AS1 in that it supports the view that the proposal would detract from the character and vitality of the area and compromise the long term goals for East Street.

It is not considered that the proposed change of use will enhance the viability or vitality of the town centre. Following pedestrianisation of the street it is the aim of the Council to create an attractive and vibrant area which will attract shoppers and visitors and increase footfall. While there may have been some adverse impact on businesses within the area during the course of the implementation of the pedestrianisation works (which may have contributed to a lower footfall than usual), it is anticipated that the area will enjoy increased visitor numbers now the works are complete. Adequate parking exists close by in Tarmount Lane, Pond Road and Middle Street, with on-street parking possible in the High Street and other surrounding roads.

It is considered important that the unit is retained in retail use. The proposed use has only a small area for retail display and is not likely to result in interest from passers-by. It will not generate a frequent footfall to and from the premises. Beauty treatment and cosmetic dentistry are quite specialised services which are likely to be predominantly by appointment, which further reduces the likelihood of passers-by stopping to visit. The result will be a relatively large shop frontage (9m) becoming effectively ‘dead space’. It could be argued that the use is better than an empty building which offers no benefits to the area. However, the existing shop is still in operation and the premises have not sat empty for any period of time. The period of marketing is relatively short (4 months at the time of the application) and it is not considered that adequate marketing has been carried out. The vacant unit opposite (formerly Lily and Harold) has recently been taken up by an A1 user who is expected to open shortly. This would suggest that there is demand for A1 premises in the street.

It is therefore not considered that the proposed use is appropriate in this primary shopping area as it will not contribute to the vitality and interest of the area. The application should be refused.

Recommendation

REFUSE for the reason:-

The proposal is unacceptable in that it would result in the loss of an A1 (shop) use within the primary shopping frontage of East Street and would be likely to harm the vitality and viability of the shopping function of the area, contrary to policy AS1 of the Adur District Local Plan and The National Planning Policy Framework.

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